



Legals	Legals	Legals	Legals	Legals	Legals	Legals	Legals	Legals
<p><b>STATE OF ALABAMA PROCLAMATION BY THE GOVERNOR</b></p> <p><b>WHEREAS</b>, the Alabama Legislature at its Regular Sessions of 2011, 2012, and 1st Special Session 2012 ordered an election to be held on certain proposed amendments to the Constitution of Alabama of 1901, set out herein as Act Nos. 2011-315 (SB369); 2011-316 (HB588); 2011-353 (SB112); 2011-543 (SB466); 2011-617 (HB60); 2011-656 (HB64); 2012-269 (HB276); 2012-275 (HB357); 2012-276 (HB358); 2012-308 (HB404); and 2012-567 (HB12), and in accordance with the provisions of Section 284, as amended by Amendment No. 24, Sections 285 and 287 of the Constitution of Alabama of 1901, as amended, and the election laws of this state; and</p> <p><b>WHEREAS</b>, notice of this election, together with these proposed amendments, is required by law and by the provisions of the proposed amendments to be given by Proclamation of the Governor, which Proclamation shall be published once a week for four successive weeks immediately preceding the day appointed for the election in a newspaper qualified to run legal notices in each county of the state.</p> <p><b>NOW, THEREFORE</b>, I, Robert Bentley, as Governor of the State of Alabama, do hereby give notice, direct and proclaim that on Tuesday, the 6th day of November, 2012, an election will be held in the State of Alabama in the manner and form provided by law upon the following proposed amendments to the Constitution of 1901 of the State of Alabama:</p> <p><b>SB369 ENROLLED</b>, An Act, To propose a constitutional amendment to reauthorize the Forever Wild Land Trust for a 20-year period from fiscal year 2012-2013 to fiscal year 2031-2032. <b>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</b> Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended: <b>PROPOSED AMENDMENT</b> All moneys paid to the Forever Wild Land Trust pursuant to Section 7 of Amendment 543 of the Constitution of Alabama of 1901, now appearing as Section 7 of Section 219.07 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, shall continue to be paid for a 20-year period beginning with the 2012-2013 fiscal year retroactive to October 1, 2012, and ending in the fiscal year</p>	<p>2031-2032. Section 2. An election upon the proposed amendment shall be held on Tuesday November 6, 2012, and shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 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 Baldwin County, proposing an amendment to the Constitution of Alabama of 1901, to define the Stockton Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality." <b>Proposed by Act _____.</b> This description shall be followed by the following language: "Yes ( ) No ( )." SB112 <b>ENROLLED</b>, An Act, Proposing an amendment to the Constitution of Alabama of 1901, to amend Section 256 as amended by Amendment 111, now appearing as Section 256 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to remove references to segregation of schools by race; and to repeal Section 259, now appearing as Section 259 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, Amendment 90, and Amendment 109, relating to poll taxes. <b>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</b> Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended: <b>PROPOSED AMENDMENT</b> (a) Section 256 of the Constitution of Alabama of 1901, as amended by Amendment 111, is amended to read as follows: "Section 256. It is the policy of the state of Alabama to foster and promote the education of its citizens in a manner and extent consistent with its available resources, and the willingness and ability of the individual student, but nothing in this Constitution shall be construed as creating or recognizing any right to education or training at public expense, nor as limiting the authority and duty of the legislature, in furthering or providing for education, to require or impose conditions or procedures deemed necessary to the preservation of peace and order." The legislature may by law provide for or authorize the establishment and operation of schools by such persons, agencies or municipalities, at such places, and upon such conditions as it may prescribe, and for the grant or loan of</p>	<p>public funds and the lease, sale or donation of real or personal property to or for the benefit of citizens of the state for educational purposes under such circumstances and upon such conditions as it shall prescribe. Real property owned by the state or any municipality shall not be donated for educational purposes except to nonprofit charitable or eleemosynary corporations or associations organized under the laws of the state. (b) Article XIV, Section 259, relating to poll tax revenues, is repealed. (c) Amendment 90 relating to exemptions from the poll tax is repealed. (d) Amendment 109 relating to exemptions from the poll tax is repealed. Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 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: "Proposing an amendment to the Constitution of Alabama of 1901, to define the Stockton Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality." <b>Proposed by Act _____.</b> This description shall be followed by the following language: "Yes ( ) No ( )." SB112 <b>ENROLLED</b>, An Act, Proposing an amendment to the Constitution of Alabama of 1901, to amend Section 256 as amended by Amendment 111, now appearing as Section 256 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to remove references to segregation of schools by race; and to repeal Section 259, now appearing as Section 259 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, Amendment 90, and Amendment 109, relating to poll taxes. <b>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</b> Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended: <b>PROPOSED AMENDMENT</b> (a) Section 256 of the Constitution of Alabama of 1901, as amended by Amendment 111, is amended to read as follows: "Section 256. It is the policy of the state of Alabama to foster and promote the education of its citizens in a manner and extent consistent with its available resources, and the willingness and ability of the individual student, but nothing in this Constitution shall be construed as creating or recognizing any right to education or training at public expense, nor as limiting the authority and duty of the legislature, in furthering or providing for education, to require or impose conditions or procedures deemed necessary to the preservation of peace and order." The legislature may by law provide for or authorize the establishment and operation of schools by such persons, agencies or municipalities, at such places, and upon such conditions as it may prescribe, and for the grant or loan of</p>	<p>as the Mobile Area Water and Sewer System. The transfer shall include all assets of the Water Works and Sewer Board of the City of Prichard and shall be conditioned upon the assumption or discharge by the Board of Water and Sewer Commissioners of the City of Mobile, presently known as the Mobile Area Water and Sewer System, of all liabilities of the Water Works and Sewer Board of the City of Prichard, including, without limitation, all indebtedness, contracts, and retirement obligations. Any assumption of obligations by the Board of Water and Sewer Commissioners of the City of Mobile, presently known as the Mobile Area Water and Sewer System, shall be evidenced by resolution of that board. (b) Upon transfer of its assets and liabilities pursuant to subsection (a), the Water Works and Sewer Board of the City of Prichard shall be dissolved. (c) The rates for water and sewer service to existing customers of Mobile Area Water and Sewer System shall not be increased at any time for reasons related to the acquisition or maintenance of the assets, liabilities, or infrastructure of the Water Works and Sewer Board of the City of Prichard. (d) Notwithstanding ratification of this amendment in accordance with applicable state law, this amendment shall not be effective and the actions, including, but not limited to, the transfer of assets and liabilities in subsections (a) and (b), shall not take place unless both of the following have occurred: (1) A favorable vote by the majority of those persons who reside and voted in precincts any part of which are serviced by the Board of Water and Sewer Commissioners of the City of Mobile (Mobile Area Water and Sewer System). (2) A favorable vote by the majority of those persons who reside and voted in precincts any part of which are serviced by the Water and Sewer Board of the City of Prichard. The votes cast on this amendment in precincts any part of which are serviced by the Board of Water and Sewer Commissioners of the City of Mobile (Mobile Area Water and Sewer System) and the votes cast on this amendment in precincts any part of which are serviced by the Water and Sewer Board of the City of Prichard shall be tabulated separately to determine whether a majority of those who voted in each area approved the amendment. Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, as amended, and the election laws of this state. Section 3. The appropriate election official shall assign</p>	<p>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: "Proposing an amendment to the Constitution of Alabama of 1901, to provide for the transfer of the assets and liabilities of the Water Works and Sewer Board of the City of Prichard, including, without limitation, all indebtedness, contracts, and retirement obligations. Any assumption of obligations by the Board of Water and Sewer Commissioners of the City of Mobile, presently known as the Mobile Area Water and Sewer System, shall be evidenced by resolution of that board." <b>Proposed by Act _____.</b> This description shall be followed by the following language: "Yes ( ) No ( )." HB60 <b>ENROLLED</b>, An Act, To propose an amendment to the Constitution of Alabama of 1901, to prohibit mandatory participation in any health care system. <b>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</b> Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended: <b>PROPOSED AMENDMENT</b> (a) In order to preserve the freedom of all residents of Alabama to provide for their own health care, a law or rule shall not compel, directly or indirectly, any person, employer, or health care provider to participate in any health care system. (b) A person or employer may pay directly for health care services and shall not be required to pay penalties or fines for paying directly for lawful health care services. A health care provider may accept direct payment for lawful health care services and shall not be required to pay penalties or fines for accepting direct payment from a person or employer for lawful health care services. (c) The purchase or sale of health insurance in private health care systems shall not be prohibited by law or rule. Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, as amended, and the election laws of this state. Section 3. The appropriate election official shall assign</p>	<p>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: "Proposing an amendment to the Constitution of Alabama of 1901, to prohibit any person, employer, or health care provider from being compelled to participate in any health care system." <b>Proposed by Act _____.</b> This description shall be followed by the following language: "Yes ( ) No ( )." HB64 <b>ENROLLED</b>, An Act, To propose an amendment to Amendment 579 to the Constitution of Alabama of 1901, now appearing as Section 177 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to provide that the right of individuals to vote for public office, public votes on referenda, or votes of employee representation by secret ballot is guaranteed. <b>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</b> Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended: <b>PROPOSED AMENDMENT</b> "Sec. 177. Suffrage and Elections (a) Every citizen of the United States who has attained the age of eighteen years and has resided in this state and in a county thereof for the time provided by law, if registered as provided by law, shall have the right to vote in the county of his or her residence. The Legislature may prescribe reasonable and nondiscriminatory requirements as prerequisites to registration for voting. The Legislature shall, by statute, prescribe a procedure by which eligible citizens can register to vote. (b) No person convicted of a felony involving moral turpitude, or who is mentally incompetent, shall be qualified to vote until restoration of civil and political rights or removal of disability. (c) The Legislature shall by law provide for the registration of voters, absentee voting, secrecy in voting, the administration of elections, and the nomination of candidates. (d) The right of individuals to vote by secret ballot is fundamental. Where state or federal law requires elections for public office or public votes on referenda, or designations of employee representation, the right of individuals</p>	<p>to vote by secret ballot shall be guaranteed." Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 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: "Proposing an amendment to the Constitution of Alabama of 1901, to amend Amendment 579 to the Constitution of Alabama of 1901, now appearing as Section 177 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to provide that the right of individuals to vote for public office, public votes on referenda, or votes of employee representation by secret ballot is fundamental." <b>Proposed by Act _____.</b> This description shall be followed by the following language: "Yes ( ) No ( )." HB276 <b>ENROLLED</b>, An Act, Proposing an amendment to the Constitution of Alabama of 1901; to repeal existing laws regarding the compensation and expense reimbursement of the members of the Legislature; and to provide for the reimbursement of expenses for legislators on the submission of signed vouchers in the same manner as state employees. <b>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</b> Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended: <b>PROPOSED AMENDMENT</b> Section 1. (a) The Legislature recognizes that the public trust in the legislative body is of paramount importance. The Legislature further recognizes that government transparency and accountability are vital to the preservation of the public trust. To that end, it is the purpose of this amendment to remove the power of determining legislative compensation or expenses from the hands of the Legislature itself, to validate the basis upon which legislative compensation and expenses are established in an objective manner based on measur-</p>	<p>able standards, and to allow the citizens of Alabama to vote on this issue. It is the will of the Legislature to resolve the issue of legislative compensation and expenses once and for all by providing for compensation and expenses for members of the Legislature and the President of the Senate and by providing for compensation to be paid at the same rate as the median household income in Alabama and expenses in the same amounts and manner as expenses are allowed under law for state employees generally. (b) All laws or parts of laws in conflict with this amendment are repealed, including, but not limited to: Those portions of Amendments 39, 57, and 339 of the Constitution of Alabama of 1901, relating to the compensation and expenses of members of the Legislature; Act 87-209, Act 90-490, Act 91-95, Act 91-108, and Act 2007-75; and Section 29-1-8, Code of Alabama 1975. Section 2. The annual basic compensation for each member of the Legislature and the President of the Senate shall be the median annual household income in Alabama, as ascertained and adjusted each year by the State Personnel Board to take effect on the first day of January of each year. Section 3. (a) No member of the Legislature or the President of the Senate may receive reimbursement for any expenses except as provided in this section. (b) Subject to approval by the President of the Senate or by the Speaker of the House for the respective members of their Houses, and except as otherwise provided in subsection (d), a member of the Legislature may be reimbursed for any of the following: (1) Expenses incurred for travel on official business in the same amounts or at the same rates as for state employees traveling in the service of the state under state law, rules, and policies, provided that, for a member of the Legislature, the travel is to a place outside his or her district. (2) Actual expenses other than travel expenses incurred in the performance of official duties. (3) Expenses authorized pursuant to Act 1196 of the 1971 Regular Session for the presiding officer of each House. (c) Reimbursement for expenses may only be made under subdivision (1) and (2) of subsection (b) after a determination of the presiding officer of the member's House that the travel or expense is in the service of the state and on submission of a signed voucher submitted in the same manner as a request for reimbursement of expenses by a state employee. (d) Except for the expenses of transportation, no member of the Legislature who resides less than 50 miles from the seat of government</p>	

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<p>may be reimbursed for any travel expenses for travel between his or her place of residence and the seat of government.</p> <p>(e) In making the determination required by subsection (c), the presiding officer of either House may not determine a particular expense incurred by any member of the Legislature was not in the service of the state on any basis that discriminates between members of the Legislature.</p> <p>(f) Reimbursement for expenses authorized pursuant to this section shall be paid in a timely manner that is consistent with expense reimbursement regulations jointly promulgated by the President of the Senate and the Speaker of the House pursuant to the Alabama Administrative Procedure Act. Such regulations shall, to the extent possible, mirror similar regulations applicable to state employees. The President of the Senate and the Speaker of the House may not discriminate between members of the Legislature regarding the timely reimbursement of authorized expenses.</p> <p>(g) The State Personnel Board may promulgate such rules as it deems necessary to enforce its responsibilities under this amendment and, in conjunction with the Comptroller, shall provide an annual report on compensation and reimbursement of expenses to members of the Legislature.</p> <p>Section 4. (a) The compensation and reimbursement for expenses provided in Sections 2 and 3 shall constitute the total amounts payable to the presiding officers and members of the Legislature, beginning with the terms commencing immediately after the 2014 General Election.</p> <p>(b) The Legislature may not increase, supplement, or otherwise enlarge the compensation or reimbursement for expenses payable to its members by this amendment.</p> <p>Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.</p> <p>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: "Proposing an amendment to the Constitution of Alabama of 1901, to repeal the existing provisions for legislative compensation and expenses and establish the basic compensation of the Legislature at the median household income in Alabama; to require legislators to submit signed vouchers for reimbursement for expenses; and</p>	<p>to prohibit the Legislature from increasing the compensation or expenses payable to its members.</p> <p>"Proposed by Act _____."</p> <p>This description shall be followed by the following language: "Yes ( ) No ( )."</p> <p>HB357 <b>ENROLLED.</b> An Act,</p> <p>Proposing an amendment to the Constitution of Alabama of 1901, to become effective January 1, 2014, relating to corporations; to amend Section 229, as amended by Amendment 27 of the Constitution of Alabama of 1901, now appearing as Section 229 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to the authority of the Legislature to pass general laws pertaining to corporations and other entities; to amend Section 239 of the Constitution of Alabama of 1901, now appearing as Section 239 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to telephone and telegraph companies; to amend Section 240 of the Constitution of Alabama of 1901, now appearing as Section 240 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to the ability of corporations to sue and be sued like natural persons; and to repeal Sections 230, 231, 232 as amended by Amendment 473, 233, 234, 236, 237, 243, 244, 245, and 246, respectively, of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to private corporations and railroads and canals.</p> <p>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</p> <p>Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof, effective January 1, 2014, following approval by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:</p> <p>PROPOSED AMENDMENT 1. Section 229 of the Constitution of Alabama of 1901, as amended by Amendment 27, is amended to read as follows: "Section 229. The legislature shall pass no special act conferring corporate powers, but it shall pass general laws under which corporations may be organized and corporate powers obtained, subject, nevertheless, to repeal at the will of the legislature; and shall pass general laws under which charters may be altered or amended. The legislature shall, by general laws, provide for the payment to the</p>	<p>of a franchise tax by corporations organized under the laws of this state which shall be in proportion to the amount of capital stock; but strictly benevolent, educational or religious corporations or federal building and loan associations organized pursuant to an act of congress known as the Home Owners' Loan Act of 1933, as amended; and as the same may hereafter be amended, or building and loan associations organized under or authorized to do business by the laws of Alabama shall not be required to pay such a tax on their withdrawable or repurchasable shares. The charter of any corporation shall be subject to amendment, alteration, or repeal under general laws. Exemption of the shares of building and loan associations from franchise taxes heretofore provided by statute is ratified.</p> <p>"The Legislature shall pass general laws under which corporations and other entities may be organized, authorized to do business or conduct their affairs, operated, dissolved, and regulated; such laws, now existing or hereafter passed, shall be subject to amendment or repeal by general law. The Legislature, by general law, shall provide for the payment to the State of Alabama of a tax on the privilege of doing business in Alabama or being organized, incorporated, qualified, or registered under the laws of Alabama. Strictly benevolent, educational, or religious corporations shall not be required to pay such a tax on their withdrawable or repurchasable shares to the extent they have such shares."</p> <p>2. Section 239 of the Constitution of Alabama of 1901, is amended to read as follows: "Any association or corporation organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph and telephone within this state, and connect the same with other lines; and the legislature shall, by general law of uniform operation, provide reasonable regulations to give full effect to this section. No telegraph or telephone company shall consolidate with or hold a controlling interest in the stock or bonds of any other telegraph or telephone company owning a complete competing line, or acquire, by purchase or otherwise, any other competing line of telegraph or telephone."</p> <p>3. Section 240 of the Constitution of Alabama of 1901, is amended to read as follows: "Section 240. All corporations shall have the right to sue, and shall be subject to be sued, in all courts in like cases as natural persons.</p> <p>"Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable otherwise than for the unpaid stock</p>	<p>owned by him or her."</p> <p>4. The following sections of the Constitution of Alabama of 1901, relating to private corporations and railroads and canals are repealed: Section 230, relating to the cancellation of certain corporate charters; Section 231, relating to limitation on remitting forfeiture of corporate charters; Section 232, as amended by Amendment 473, relating to foreign corporations doing business in the state; Section 233, relating to corporations being restricted to business authorized by the charter; Section 234, relating to restrictions on the issuance of corporate stocks and bonds; Section 236, relating to security for dues from private corporations and liability of stockholders; Section 237, relating to issuance of preferred stock by corporations; Section 243, specifying that the regulation of railroad companies is vested in the Legislature; Section 244, relating to prohibiting the giving of free passes or discount tickets to members of the Legislature or officers exercising judicial functions; Section 245, relating to railroads not giving rebates or bonuses and deceiving or misleading the public as to rates; and Section 246, relating to acceptance of article as a prerequisite to benefits to future legislation.</p> <p>Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.</p> <p>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: "Proposing an amendment to the private corporation provisions of Article 12 of the Constitution of Alabama of 1901, to become effective January 1, 2014, to continue the authority of the Legislature to pass general laws pertaining to corporations and other entities; to continue the authority of the Legislature to regulate and impose a business privilege tax on corporations and other entities; and to repeal various provisions concerning private corporations, railroads, and canals.</p> <p>"Proposed by Act _____."</p> <p>This description shall be followed by the following language: "Yes ( ) No ( )."</p> <p>HB358 <b>ENROLLED.</b> An Act,</p> <p>Proposing an amendment to the Constitution of Alabama of 1901, to amend Section 247 now appearing as Section 247 of the Official Recompilation of the Constitution of Alabama</p>	<p>of 1901, as amended, relating to the general power of the Legislature regarding banks and banking, effective January 1, 2014, to include in that section existing provisions concerning unlimited duration, prohibitions on political subdivisions being stockholders or lending credit, and bank examination requirements; and to repeal the following Sections of Article XIII, relating to banks and banking: Section 248 of the Constitution of Alabama of 1901, now appearing as Section 248 of the Official Recompilation of the Constitution of Alabama of 1901, as amended; Section 249 of the Constitution of Alabama of 1901, now appearing as Section 249 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to maximum rate of interest; Section 253 of the Constitution of Alabama of 1901, now appearing as Section 253 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to public officers and semiannual reports by banks; to repeal Amendment 154 of the Constitution of Alabama of 1901, now appearing as Section 255.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to examinations of banks by public officers and semiannual reports by banks; to repeal Amendment 154 of the Constitution of Alabama of 1901, now appearing as Section 255.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and on the contingency that Sections 10A-2-15.01 and 10A-2-15.02, Code of Alabama 1975, are repealed.</p> <p>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</p> <p>Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof, effective on January 1, 2014, following approval by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended, and on the contingency that a bill is enacted that repeals Sections</p>	<p>as amended:</p> <p>PROPOSED AMENDMENT 1. Section 247 of the Constitution of Alabama of 1901, is amended to read as follows: "Section 247. Authority of Legislature Restricted- (a) The Legislature shall not have the power to establish or incorporate any bank or banking company or moneyed institution for the purpose of issuing bills of credit or bills payable to order or bearer, except under the conditions prescribed in this Constitution. No bank shall be established otherwise than under a general banking law. (b) There shall be no limit of time for the duration of a corporation organized as a bank or banking company, and it shall not be necessary to renew or extend the life or charter of any such corporation now existing. All extensions of the life or charter of any such corporations are ratified and confirmed. (c) Neither the state, nor any political subdivision thereof, shall be a stockholder in any bank, nor shall the credit of the state or any political subdivision thereof be given or lent to any banking company, banking association, or banking corporation. (d) The Legislature, by appropriate laws, shall provide for the examination, by some public officer, of all banks and banking institutions, through its president, or such other officer as the Legislature may designate, shall make a report under oath of its resources and liabilities at least twice a year."</p> <p>2. The following sections of Article XIII of the Constitution of Alabama of 1901, relating to banks and banking, are repealed: Section 248, relating to banking laws being general, specie basis, and the authority to issue bills to circulate as money; Section 249, relating to bills or notes issued as money redeemable in gold or silver and specifying laws may not sanction suspension of the specie payments; Section 251, as amended by Constitutional Amendment 51, relating to termination of business; Section 252, relating to maximum rate of interest; Section 253, relating to state and political subdivisions not to be stockholders in banks or lend credit thereto; and Section 254, relating to examinations of banks by public officers and semiannual reports by banks.</p> <p>3. Section 255.01, relating to non-residents making mortgage loans, is repealed on the contingency that a new Article XII is adopted as a part of the Alabama Constitution which repeals existing Section 232 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and on the contingency that a bill is enacted that repeals Sections</p>	<p>10A-2-15.01 and 10A-2-15.02, Code of Alabama 1975, relating to the consequences of a foreign corporation transacting business without registration, and which provides that Sections 10A-1-7.21 through and including Section 10A-1-7.24, Code of Alabama 1975, shall instead apply to a foreign corporation transacting business without registering with the Secretary of State.</p> <p>END OF PROPOSED AMENDMENT</p> <p>Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.</p> <p>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: "Proposing an amendment to the Constitution of Alabama of 1901, effective January 1, 2014, to amend Section 247 relating to the authority of the Legislature concerning banks and banking, to repeal various other provisions of Article XIII concerning banks and banking; and to repeal Amendment 154 to the Constitution of Alabama of 1901, now appearing as Section 255.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, subject to the contingency that a new Article XII of the state constitution is adopted that repeals existing Section 232 of the state constitution, and subject to the contingency that Sections 10A-2-15.01 and 10A-2-15.02, Code of Alabama 1975, are repealed.</p> <p>"Proposed by Act _____."</p> <p>This description shall be followed by the following language: "Yes ( ) No ( )."</p> <p>HB404 <b>ENROLLED.</b> An Act,</p> <p>Proposing a local constitutional amendment to the Constitution of Alabama of 1901, relating to Lawrance County, to prohibit any municipality located entirely outside of Lawrance County from imposing any municipal ordinance or regulation, including, but not limited to, any tax, zoning, planning, or sanitation regulations, and any inspection service in its police jurisdiction located in Lawrance County and to provide that a municipality prohibited from imposing any tax or regulation under this amendment shall not provide any regulatory function or police or fire protection services in its police jurisdiction located in Lawrance County, other than public safety mutual aid. "Proposed by Act _____."</p> <p>This description shall be followed by the following language: "Yes ( ) No ( )."</p> <p>HB12 <b>ENROLLED.</b> An Act,</p> <p>Proposing an amendment to the Constitution of Alabama of 1901, as amended, (i) to provide that the authority of the State to issue general obligation bonds pursuant to Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], in aggregate principal amounts (which may exceed the principal amount of general obligation bonds being refunded) determined by the Bond Commission established pursuant to Section IX of Amendment</p>	<p>ISLATURE OF ALABAMA:</p> <p>Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:</p> <p>PROPOSED AMENDMENT A municipality located entirely outside of Lawrence County is prohibited from imposing any municipal ordinance or regulation, including, but not limited to, any tax, zoning, planning, or sanitation regulations, and any inspection service in its police jurisdiction located in Lawrance County, other than public safety mutual aid. 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.</p> <p>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 Lawrance County, proposing an amendment to the Constitution of Alabama of 1901, to prohibit any municipality located entirely outside of Lawrance County from imposing any municipal ordinance or regulation, including, but not limited to, any tax, zoning, planning, or sanitation regulations, and any inspection service in its police jurisdiction located in Lawrance County and to provide that a municipality prohibited from imposing any tax or regulation under this amendment shall not provide any regulatory function or police or fire protection services in its police jurisdiction located in Lawrance County, other than public safety mutual aid. "Proposed by Act _____."</p> <p>This description shall be followed by the following language: "Yes ( ) No ( )."</p> <p>HB12 <b>ENROLLED.</b> An Act,</p> <p>Proposing an amendment to the Constitution of Alabama of 1901, as amended, (i) to provide that the authority of the State to issue general obligation bonds pursuant to Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], in aggregate principal amounts (which may exceed the principal amount of general obligation bonds being refunded) determined by the Bond Commission established pursuant to Section IX of Amendment</p>	<p>be subject to the aggregate principal amount limitations contained in said amendments; provided, that at no time shall the aggregate principal amount of general obligation bonds (including, without limitation, general obligation refunding bonds) issued pursuant to the provisions of said amendments be outstanding in excess of \$750 million, and (ii) to allow the issuance by the State of general obligation refunding bonds under the authority of Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], subject to certain minimum savings thresholds and limitations of maximum average maturity.</p> <p>BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:</p> <p>Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors of the State voting thereon in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended:</p> <p>PROPOSED AMENDMENT (a) Anything in Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], or Amendment No. 796 to the Constitution of Alabama of 1901, as amended [Section 219.04], to the contrary notwithstanding, the authority granted to the State of Alabama to become indebted and to sell and issue its interest-bearing general obligation bonds, in addition to all other bonds of the state, under Amendment No. 666 to the Constitution of Alabama of 1901 [Section 219.04], as amended by Amendment No. 796 to the Constitution of Alabama of 1901 [Section 219.04], shall not be subject to the limitations on aggregate principal amount imposed by Section VIII of said Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], as modified by paragraph (a) of Amendment No. 796 to the Constitution of Alabama of 1901, as amended [Section 219.04]; provided, that at no time shall the aggregate principal amount of such general obligation bonds (including, without limitation, general obligation refunding bonds) then outstanding be in excess of \$750 million.</p> <p>(b) General obligation refunding bonds may be issued by the State from time to time pursuant to the authority contained in Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], in aggregate principal amounts (which may exceed the principal amount of general obligation bonds being refunded) determined by the Bond Commission established pursuant to Section IX of Amendment</p>

Legals	Legals	Legals	Legals	Legals	Legals	Legals	Legals	Legals
No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04]; provided, however, that no such general obligation refunding bonds shall be issued unless (i) the present value of all debt service on such general obligation refunding bonds (computed with a discount rate equal to the true interest rate of such general obligation refunding bonds and taking into account all underwriting discount and other issuance expenses) shall not be greater than 97 percent of the present value of all debt service on the general obligation bonds to be re-	funded (computed using the same discount rate and taking into account the underwriting discount and other issuance expenses originally applicable to such general obligation bonds to be refunded) determined as if such general obligation bonds to be refunded were paid and retired in accordance with the schedule of maturities (considering mandatory redemption as a scheduled maturity) provided at the time of their issuance; and (ii) the average maturity of such general obligation refunding bonds, as measured from the date of issuance	of such general obligation refunding bonds, shall not exceed by more than three years the average maturity of the general obligation bonds to be refunded, as also measured from such date of issuance, with the average maturity of any principal amount of general obligation bonds to be determined by multiplying the principal of each maturity by the number of years (including any fractional part of a year) intervening between such date of issuance and each such maturity, taking the sum of all such products, and then dividing such sum by the	aggregate principal amount of general obligation bonds for which the average maturity is to be determined. (c) The principal amount of general obligation bonds for which provision has been made with proceeds of general obligation refunding bonds (including anticipated investment earnings thereon), shall not be deemed outstanding for purposes hereof. (d) Except to the extent modified hereunder, the terms and provisions of Amendment No. 666 to the Constitution of Alabama of 1901, as amended	[Section 219.04], and Amendment No. 796 to the Constitution of Alabama of 1901, as amended [Section 219.041], shall remain in full force and effect. Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 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: "Proposing an amendment to the Constitution of Alabama of 1901, as amended (i) to allow issuance by the State from time to time of general obligation bonds under the authority of Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], subject to certain minimum savings thresholds and limitations of maximum average maturity" Proposed an amendment to the Constitution of	vided, at no time shall the aggregate principal amount of such general obligation bonds (including, without limitation, general obligation refunding bonds) then outstanding be in excess of \$750 million, and (ii) to allow issuance by the State of general obligation refunding bonds under the authority of Amendment No. 666 to the Constitution of Alabama of 1901, as amended [Section 219.04], subject to certain minimum savings thresholds and limitations of maximum average maturity" Proposed an amendment to the Constitution of	Alabama of 1901, as amended, to allow issuance by the State from time to time of general obligation bonds under the authority of Section 219.04 and Section 219.041 to the Constitution of Alabama of 1901, as amended, so long as the aggregate principal amount of all such general obligation bonds at any time outstanding is not in excess of \$750 million. This amendment would replace the maximum aggregate principal limitations currently contained in said Sections 219.04 and 219.041. The proposed amendment would also allow issuance	by the State of general obligation refunding bonds under the authority of Sections 219.04 and 219.041 to the Constitution of Alabama of 1901, as amended, subject to certain minimum savings thresholds and limitations of maximum average maturity." "Proposed by Act _____." This description shall be followed by the following language: "Yes ( ) No ( )."

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