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**ALABAMA FAIR BALLOT COMMISSION  
SEPTEMBER 17, 2019  
ALABAMA STATE CAPITOL  
600 DEXTER AVENUE  
OLD ARCHIVES ROOM  
MONTGOMERY, ALABAMA**

Commissioners present were:

The Honorable John L. Carroll, Chairman  
Mr. Jason Isbell, Vice Chairman  
The Honorable Rick Pate, Commissioner of Agriculture and Industries  
Mr. Will Parker, Deputy General Counsel for the Governor, and on behalf of Governor Ivey  
Mr. David Brewer, Chief of Staff for the Secretary of State, and on behalf of the Secretary of State  
Mr. Cole Wagner, Legislative Assistant for the Lt. Governor, and on behalf of the Lt. Governor  
Mr. Andrew Westcott, Legal Counsel, and on behalf of the Speaker of the Alabama House of Representatives  
Ms. Katherine Robertson  
Ms. Amy C. Marshall  
Mr. Thomas J. Saunders  
Mr. Myles Mayberry  
Ms. Caleigh M. Hart  
Ms. Renee Gentle Powers  
Mr. Jordan Plaster  
Ms. Christy K. Truitt  
The Honorable Chris Elliott, Member, Alabama State Senate  
The Honorable Linda Coleman-Madison, Member, Alabama State Senate

Commissioners absent were:

Mr. Steve Dunn  
Ms. Casey Williams  
The Honorable Matt Fridy, Member, Alabama House of Representatives  
The Honorable Bob Fincher, Member, Alabama House of Representatives  
The Honorable Juandalynn Givan, Member, Alabama House of Representatives  
The Honorable Jimmy Holley, Member, Alabama State Senate

In attendance were:

The Honorable Del Marsh, President Pro Tempore, and Member, Alabama State Senate  
Mr. Derek Trotter, Chief of State, Office of the President Pro Tempore, Alabama State Senate  
Mr. Mark Tuggle, Chief of Staff, Office of the Speaker of the Alabama House of Representatives

Staff members present for the Secretary of State, and as staff of the Alabama Fair Ballot Commission (Commission), were:

Ms. Brittany Hamilton, Special Assistant, Secretary of State  
Mr. Clay Helms, Director of Elections, Secretary of State  
Mr. Hugh Evans. III, Deputy Attorney General, Secretary of State  
Ms. Grace Newcombe, Communications Director, Secretary of State

### **WELCOME**

Chairman Carroll called to order the meeting at 2:01 p.m. and welcomed everyone.

### **INVOCATION & PLEDGE OF ALLEGIANCE**

Vice Chairman Isbell gave the invocation and Commissioner Wagner led the Commission in the Pledge of Allegiance to the United States of America.

### **ACKNOWLEDGEMENT OF NOTIFICATION OF MEETING PURSUANT TO THE ALABAMA OPEN MEETINGS ACT**

Chairman Carroll informed the Commission that today's meeting was posted on the Alabama Open Meetings Act website, compliant with applicable law.

### **ROLL CALL & ACKNOWLEDGEMENT OF QUORUM**

Chairman Carroll directed Commissioner Brewer to call the roll. Commissioner Brewer called the roll and advised Chairman Carroll that a quorum was present. With a quorum in attendance, the Commission transacted the following business, to-wit:

### **REVIEW AND APPROVAL OF THE MINUTES FROM THE JULY 26, 2018 MEETING**

Chairman Carroll asked the members if they had any changes to the July 26, 2018 meeting minutes at which no Commissioners voiced any revisions. Chairman Carroll asked for a motion to approve the minutes

MOTION BY COMMISSIONER POWERS, SECONDED BY COMMISSIONER MAYBERRY, TO APPROVE THE JULY 26, 2018 MINUTES OF THE ALABAMA FAIR BALLOT COMMISSION.

<b>Ayes:</b>	<b>15</b>	<b>Commissioners:</b>	<b>Chairman John Carroll, Vice Chairman Jason Isbell, Will Parker, Cole Wagner, Andrew Westcott, David Brewer, Katherine Robertson, Amy C. Marshall, Rick Pate, Christy K. Truitt, Jordan Plaster, Renee Gentle Powers, Caleigh M. Hart, Thomas J. Saunders &amp; Myles Mayberry</b>
<b>No:</b>	<b>0</b>	<b>Commissioners:</b>	<b>(None)</b>

**Abstain:** 0      **Commissioners:** (None)  
**Absent:** 2      **Commissioners:** Casey Gay Williams, Steve Dunn

***MOTION PASSED.***

**DISCUSSION AND PREPARATION OF THE BALLOT STATEMENT FOR STATEWIDE  
AMENDMENT NO. 1 – ACT. NO. 2019-345**

Chairman Carroll preliminarily reviewed the ballot statement for Statewide Amendment No. 1 and, thereafter, asked Vice Chairman Isbell to lead the Commission in the review of the same. The Commissioners discussed revisions to the draft Ballot Statement that is below recited, as follows:

**FAIR BALLOT COMMISSION  
STATEWIDE CONSTITUTIONAL AMENDMENT  
MARCH 3, 2020 BALLOT  
BALLOT STATEMENTS**

**Approved Pursuant to Ala. Code 1975 § 17-6-81**

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**BALLOT STATEMENT FOR STATEWIDE AMENDMENT 1:**

**(1) The text of the statewide ballot measure, including sponsors, cosponsors, and the text of the question that will appear on the statewide ballot:**

Proposed by Act No. 2019-345 (Senate Bill 397, 2019 Regular Legislative Session)

Bill Sponsor: Senator Marsh

Cosponsors: Senators Orr, McClendon, Roberts, Chambliss, Albritton, Elliott, Livingston, Gudger, Price, Givhan, Shelnut, Stutts, Waggoner, Sessions, Williams, Whatley, Reed, Ward, Jones, and Melson

“Proposing an amendment to the Constitution of Alabama of 1901, to change the name of the State Board of Education to the Alabama Commission on Elementary and Secondary Education; to provide for the appointment of the members of the commission by the Governor, subject to confirmation by the Senate; to change the name of the State Superintendent of Education to the Secretary of Elementary and Secondary Education; to provide for the appointment of the secretary by the commission, subject to confirmation by the Senate; and to authorize the Governor to appoint a team of local educators and other officials to advise the commission on matters relating to the functioning and duties of the State Department of Education.”

“Proposed by Act 2019-345.”

This description shall be followed by the following language: "Yes ( ) No ( )."

**(2) A summary of and the text of any implementing legislation directly related to the statewide ballot measure:**

If Amendment 1 is ratified, the provisions of Act 2019-510 will become effective. Act 2019-510 does two things. First, it requires the Governor to consult with members of the minority political party of the Legislature when appointing members to the Alabama Commission on Elementary and Secondary Education. Second, it requires the Secretary of Elementary and Secondary Education to report to the Legislature annually on state education policy objectives and methods to improve academic achievements.

**(3) The placement of the statewide ballot measure on the statewide ballot:**

This proposed Constitutional Amendment will appear on the Ballot after election of statewide and local offices and will be the first constitutional amendment for voter consideration. The proposed Constitutional Amendment will be listed as “Statewide Amendment 1.”

**(4) A plain language summary of the statewide ballot measure, which shall include, at a minimum, the legal or constitutional authority for its passage, the effect of the statewide ballot measure if it is passed, including its cost and source of funding, and the effect of the statewide ballot measure if it is defeated.**

Amendment 1 would reorganize the management of the state’s education system and eliminate the course of study standards known as “common core.”

Specifically, Amendment 1 does the following six things:

- First, Amendment 1 replaces the State Board of Education, whose nine members are elected by the public to four-year terms, with the Alabama Commission on Elementary and Secondary Education (Commission), whose nine members would be appointed by the Governor, subject to confirmation by the Alabama Senate, to six-year terms.
- Second, while the elected members of the State Board of Education are currently not subject to term limits, Amendment 1 provides that members of the Commission could not be appointed to more than two full consecutive terms of office.
- Third, Amendment 1 replaces the State Superintendent of Education, who is appointed by the State Board of Education and whose salary is set by the Alabama Legislature, with the Secretary of Elementary and Secondary Education, who would be appointed by and whose salary would be set by the Commission, subject to confirmation by the Alabama Senate.
- Fourth, Amendment 1 requires the Commission to replace the current “common core” course of study standards with standards to ensure nationwide consistency.
- Fifth, Amendment 1 requires the Commission to adopt educator certification programs, professional development programs, and comprehensive assessment and accountability systems.
- Sixth, Amendment 1 requires the Governor to appoint a diverse team of current and former educators and administrators to make recommendations related to the operations of the State Department of Education.

If the majority of the voters vote “yes” on Amendment 1, the State Board of Education and State Superintendent of Education will be renamed the Alabama Commission on Elementary and Secondary

Education and the Secretary of Elementary and Secondary Education, and the members of the commission will be appointed by the Governor and confirmed by the Senate rather than elected by the public. In addition, the current “common core” course of study standards would be replaced by standards designed to ensure nationwide consistency.

If the majority of voters vote “no” on Amendment 1, the State Board of Education will continue to consist of eight elected members plus the Governor, and the chief state school officer will continue to be labeled as the State Superintendent of Education.

There is no cost for Amendment 1.

The Constitutional authority for passage of Amendment 1 is set forth in Sections 284 and 285 of the State Constitution. These sections outline the way a constitutional amendment may be put to the people of the State for a vote.

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After reviewing the draft Ballot Statement, Chairman Carroll directed that the Commission would consider it as a working draft which will be reviewed, for final approval, at an upcoming Commission meeting.

#### **OTHER BUSINESS**

There was no other business to be reviewed by the Commission.

#### **ADJOURNMENT**

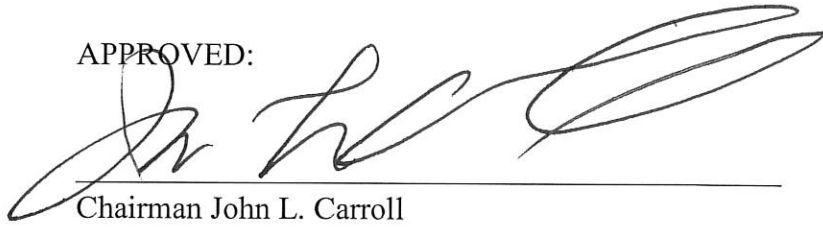
With no other further business coming before the Commission, Chairman Carroll asked for a motion to adjourn the meeting.

MOTION BY COMMISSIONER ROBERTSON, SECONDED BY COMMISSIONER WESTCOTT, TO ADJOURN THE SEPTEMBER 17, 2019 MEETING OF THE ALABAMA FAIR BALLOT COMMISSION.

<b>Ayes:</b>	<b>10</b>	<b>Commissioners:</b>	<b>Chairman John Carroll, Vice Chairman Jason Isbell, Will Parker, Cole Wagner, Andrew Westcott, David Brewer, Katherine Robertson, Amy C. Marshall, Rick Pate, Christy K. Truitt, Jordan Plaster, Renee Gentle Powers, Caleigh M. Hart, Thomas J. Saunders &amp; Myles Mayberry</b>
<b>No:</b>	<b>0</b>	<b>Commissioners:</b>	<b>(None)</b>
<b>Abstain:</b>	<b>0</b>	<b>Commissioners:</b>	<b>(None)</b>
<b>Absent:</b>	<b>4</b>	<b>Commissioners:</b>	<b>Casey Gay Williams, Steve Dunn</b>

***MOTION PASSED.***

APPROVED:



Chairman John L. Carroll