

ALABAMA FAIR BALLOT COMMISSION
JULY 21, 2022
ALABAMA STATE HOUSE
ROOM 807 (SENATE JOINT BRIEFING ROOM)
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA

Commissioners present were:

Ms. Casey Gay Williams, Chairman

Mr. Justin Barkley, Deputy General Counsel for the Governor, and on behalf of Governor Ivey

Mr. Patrick Moody, Deputy Commissioner of Agriculture and Industries, and on behalf of
Commissioner Pate

Mr. David Brewer, Chief of Staff for the Secretary of State, and on behalf of Secretary of State Merrill

Mr. Jess Skaggs, Deputy Chief of Staff for the Lt. Governor, and on behalf of Lt. Governor Ainsworth

Mr. Andrew Westcott, Legal Counsel for the Speaker of the Alabama House of Representatives, and
on behalf of Speaker McCutcheon

Mr. Myles Mayberry

Mr. Jim Entrekin

Ms. Renee Gentle Powers

Mr. Jordan Plaster

The Honorable John C. Carroll

Commissioners absent were:

Mr. Stanley F. Gray

Mr. Thomas J. Saunders

Ms. Caleigh M. Hart

Mr. Steve Dunn

Ms. Christy K. Truitt

Ms. Katherine Robertson

The Honorable Bob Fincher, Member, Alabama House of Representatives

The Honorable Wes Allen, Member, Alabama House of Representatives

The Honorable Juandalynn Givan, Member, Alabama House of Representatives

The Honorable Jimmy Holley, Member, Alabama State Senate

The Honorable Chris Elliott, Member, Alabama State Senate

The Honorable Linda Coleman-Madison, Member, Alabama State Senate

In attendance, for the Secretary of State's Office, were:

Mr. Hugh Evans, General Counsel, Secretary of State

Ms. Sarah Telofski, Associate General Counsel, Secretary of State

WELCOME

Chairman Williams called to order the meeting at 1:09 p.m. and welcomed everyone.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Moody gave the invocation and led the Commission in the Pledge of Allegiance to the United States of America.

ROLL CALL & ACKNOWLEDGMENT OF QUORUM

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

ACKNOWLEDGMENT OF NOTIFICATION OF MEETING PURSUANT TO THE ALABAMA OPEN MEETINGS ACT

Commissioner Brewer informed the Commission that today's meeting was posted on the Alabama Open Meetings Act website, compliant with applicable law, on July 7, 2022.

REVIEW AND APPROVAL OF THE MINUTES FROM THE JUNE 16, 2022 MEETING

Chairman Williams asked the members if they had any changes to the June 16, 2022 meeting minutes at which time no Commissioners voiced any revisions. Chairman Williams asked for a motion to approve the minutes.

MOTION BY COMMISSIONER SKAGGS, SECONDED BY COMMISSIONER PLASTER, TO APPROVE THE JUNE 16, 2022 MINUTES OF THE ALABAMA FAIR BALLOT COMMISSION.

Ayes:	10	Commissioners:	Chairman Casey Gay Williams, Justin Barkley, Patrick Moody, David Brewer, Jess Skaggs, Andrew Westcott, Jim Entrekin, Renee Gentle Powers, Jordan Plaster and John C. Carroll
No:	0	Commissioners:	(None)
Abstain:	1	Commissioners:	Myles Mayberry
Absent:	6	Commissioners:	Stanley F. Gray, Thomas J. Saunders, Caleigh M. Hart, Steve Dunn, Katherine Robertson and Christy K. Truitt

MOTION PASSED.

PRESENTATION OF NATIONAL ASSOCIATION OF SECRETARIES OF STATE MEDALLION TO THE HONORABLE JOHN C. CARROLL

Secretary of State John H. Merrill appeared before the Commission to convey a National Association of Secretaries of State Medallion to Commissioner John C. Carroll to recognize his service to the people of the State of Alabama.

Secretary Merrill read a certificate into the record, as follows:

HONORABILIS

CONGRATULATING THE HONORABLE JOHN L. CARROLL
FOR HIS ADMIRABLE SERVICE

WHEREAS, in a desire to recognize outstanding achievement by citizens of Alabama, Secretary John H. Merrill congratulates the Honorable John L. Carroll upon the celebration of his service to the people of the State of Alabama; and

WHEREAS, Mr. Carroll, a native of Washington, D.C., graduated from Tufts University, Cumberland School of Law in 1974, where he served as a member of the Cumberland Law Review, student bar president, and a national moot court team member, and Harvard University with a Masters of Law; and

WHEREAS, Mr. Carroll served in the U.S. military as a Marine Flight Officer during the Vietnam War, where he flew more than 200 combat missions, became the Dean of Cumberland School of Law in Birmingham, Alabama from 2001 to 2013, served as a federal trial judge for 14 years within the position of Chief U.S. Magistrate Judge for the Middle District of Alabama, and was appointed by Chief Justice William Rehnquist to serve on the Judicial Conference's Advisory Committee on Civil Rules, which analyzes and makes recommendations to the United States Supreme Court and the United States Congress on possible modifications to the Federal Rules of Civil Procedure; and

WHEREAS, Mr. Carroll also served as the Legal Director of the Southern Poverty Law Center in Montgomery, Alabama, practiced civil and criminal law for 10 years, worked two years on the law faculty of Mercer University's Walter F. George School of Law, and serves as the Chairman of the Alabama Secretary of State's Fair Ballot Commission; and

WHEREAS, because of the aforementioned, Mr. Carroll is indeed deserving of public recognition for the honor he has brought to the State of Alabama; now therefore,

BE IT REMEMBERED that Alabama Secretary of State John H. Merrill congratulates the Honorable John L. Carroll upon the celebration of his service and success and furthermore, commends his many noteworthy and distinguished accomplishments.

*IN WITNESS WHEREOF, we have set our hands upon
this instrument on this the 21st day of July, 2022.*

John H. Merrill, Alabama Secretary of State

ATTEST:

David A.Z. Brewer, Chief of Staff

After reading the certificate, Secretary Merrill joined Commissioner Carroll to present him the National Association of Secretaries of State Medallion award. Commissioner Carroll thanked Secretary Merrill for the recognition.

**DISCUSSION AND PREPARATION OF THE BALLOT STATEMENT FOR THE
PROPOSED CONSTITUTION OF ALABAMA OF 2022**

Chairman Williams opened the discussion by stating that the members would revise the statement paragraph by paragraph. Commissioners discussed revisions. After discussion, a motion was made to approve the final ballot statement as follows:

Alabama’s voters will have the opportunity to vote on a reorganized state constitution at the November 8, 2022, general election. Alabama’s current constitution has been in effect since 1901. It contains outdated language and has been amended nearly 1,000 times. If approved, the reorganized state constitution will be titled the Constitution of Alabama of 2022.

In 2022, all members of the Legislature agreed to this proposed reorganized constitution and put it on the ballot for voters to consider.

The Constitution of Alabama of 2022 will only do the following: (1) rearrange the constitution so that similar subjects are located together; (2) remove racist language; (3) delete repeated or repealed portions/language; (4) place all amendments which deal with economic development together; and (5) arrange local amendments by county.

The reorganized constitution will make no changes other than those listed above and will not make any changes relating to taxes.

If the majority of voters vote “yes” on the reorganized constitution, the Constitution of 2022 will replace the Constitution of 1901 as the governing document for the State.

If the majority of voters vote “no” on the reorganized constitution, the Constitution of 1901, as amended, will remain the governing document for the State.

There are no costs to adopting the reorganized constitution.

The authority for the adoption of this reorganized constitution is in Amendment 951 to the Constitution of Alabama of 1901, which was approved by voters on November 3, 2020. Amendment 951 set out the process for a committee, with public input, to draft this proposed reorganized constitution. In Act 2022-111, the Legislature approved the committee’s proposed draft and placed it on the November 2022 general election ballot for final consideration by voters to become the reorganized Constitution of Alabama of 2022.

More information on the reorganized constitution can be found at:

<https://alison.legislature.state.al.us/proposed-2022-constitution>

MOTION BY COMMISSIONER MOODY, SECONDED BY COMMISSIONER POWERS, TO APPROVE THE FINAL BALLOT STATEMENT FOR THE PROPOSED CONSTITUTION OF ALABAMA OF 2022.

**Ayes: 11 Commissioners: Chairman Casey Gay Williams, Justin Barkley,
Patrick Moody, David Brewer, Jess Skaggs,
Andrew Westcott, Myles Mayberry, Jim**

			Entrekin, Renee Gentle Powers, Jordan Plaster and John C. Carroll
No:	0	Commissioners:	(None)
Abstain:	0	Commissioners:	(None)
Absent:	6	Commissioners:	Stanley F. Gray, Thomas J. Saunders, Caleigh M. Hart, Steve Dunn, Katherine Robertson and Christy K. Truitt

MOTION PASSED.

DISCUSSION ON VENUES TO INFORM THE PUBLIC OF THE BALLOT STATEMENT

Chairman Williams directed Commissioner Brewer to provide an update on how the public will be informed of today’s approved ballot statement. Commissioner Brewer stated that Secretary of State Merrill will work with the state’s ballot production vendor to place the approved ballot statement on all of Alabama’s sample ballots which will be available in paper form throughout Alabama and online at the Alabama Secretary of State’s website. Commissioner Brewer also informed the Commission that certain information on the approved ballot statement would be available on social media prior to the November 8, 2022, General Election. Chairman Williams asked all the members to consider posting and sharing the social media posts to inform the public.

ADJOURNMENT

Prior to adjournment, Commissioner Carroll congratulated Chairman Williams for running a smooth meeting. With no other further business coming before the Commission, Chairman Williams asked for a motion to adjourn the meeting at 2:38 p.m.

MOTION BY COMMISSIONER SKAGGS, SECONDED BY COMMISSIONER ENTREKIN, TO ADJOURN THE JULY 21, 2022 MEETING OF THE ALABAMA FAIR BALLOT COMMISSION.

Ayes:	11	Commissioners:	Chairman Casey Gay Williams, Justin Barkley, Patrick Moody, David Brewer, Jess Skaggs, Andrew Westcott, Myles Mayberry, Jim Entrekin, Renee Gentle Powers, Jordan Plaster and John C. Carroll
No:	0	Commissioners:	(None)
Abstain:	0	Commissioners:	(None)
Absent:	6	Commissioners:	Stanley F. Gray, Thomas J. Saunders, Caleigh M. Hart, Steve Dunn, Katherine Robertson and Christy K. Truitt

MOTION PASSED.

APPROVED:



 Chairman