

Nancy L. Worley  
Secretary of State

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# STATE OF ALABAMA

I, Nancy L. Worley, Secretary of State of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that the attached certification of proposed Constitutional Amendments is the prescribed ballot language for the Tuesday, November 2, 2004, General Election ballot. Please take all steps necessary to insure that the proposed Statewide Constitutional Amendments and, where applicable, Local Constitutional Amendments, appear on the ballot in the precise language.



In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, on this day.

August 13, 2004

Date

Nancy L. Worley

A handwritten signature in cursive script, reading 'Nancy L. Worley', is written over a horizontal line.

Secretary of State

# Proposed Constitutional Amendments to be on the Ballot

General Election  
November 2, 2004

**“Shall the following Amendments be adopted to the  
Constitution of Alabama?”**

## **PROPOSED AMENDMENTS TO BE ON THE BALLOT STATEWIDE**

### **Proposed Statewide Amendment No. 1**

Proposing an amendment to the Constitution of Alabama of 1901, to authorize Baldwin County and certain governmental entities within the county to have certain powers for the promotion of economic and industrial development in Baldwin County and the municipalities therein. (Proposed by Act 2003-187)

Yes  
No

### **Proposed Statewide Amendment No. 2**

Proposing an amendment to the Constitution of Alabama of 1901, to repeal portions of Section 256 and Amendment 111 relating to separation of schools by race and repeal portions of Amendment 111 concerning constitutional construction against the right to education, and to repeal Section 259, Amendment 90, and Amendment 109 relating to the poll tax. (Proposed by Act 2003-203)

Yes  
No

### **Proposed Statewide Amendment No.3**

Proposing an amendment to the Constitution of Alabama of 1901, to authorize a county commission of any county or any municipality therein to perform certain actions for the purpose of economic and industrial development in the county. (Proposed by Act 2004-94)

Yes  
No

**Proposed Statewide Amendment No. 4**

Proposing an amendment to the Constitution of Alabama of 1901, to provide for the promotion of shrimp and seafood. (Proposed by Act 2004-258)

Yes

No

**Proposed Statewide Amendment No. 5**

Relating to the City of Trussville in Jefferson and St. Clair Counties, proposing an amendment to the Constitution of Alabama of 1901, to authorize the City of Trussville to annex certain property; to provide for the levy of an ad valorem tax for public school purposes in the City of Trussville; and to provide for the rate of levy of the tax and the manner of conducting elections with respect to the tax. (Proposed by Act 2004-259)

Yes

No

**Proposed Statewide Amendment No. 6**

Relating to Crenshaw County, proposing an amendment to the Constitution of Alabama of 1901, to repeal, effective beginning the next term of office of the Judge of Probate of Crenshaw County, Constitutional Amendment No. 496, which provides for the judge of probate to receive the same salary as the district judge in the county. (Proposed by Act 2004-291)

Yes

No

**Proposed Statewide Amendment No. 7**

Relating to Macon County, proposing an amendment to the Constitution of Alabama of 1901, to allow the Legislature, by local law, to authorize the Macon County Commission to levy a tax on the sale of all tobacco products and liquor or wine and to provide for the collection and distribution of the proceeds of any tax levied by any such local act. (Proposed by Act 2004-536)

Yes

No

**Proposed Statewide Amendment No. 8**

Proposing an amendment to Amendment 93 of the Constitution of Alabama of 1901, as amended by Amendment 354 to the Constitution of Alabama of 1901, to authorize the Legislature to levy an excise tax in lieu of ad valorem taxes on designated motor vehicles, and provide for the proceeds of the excise tax to be distributed to those entities currently or hereafter authorized to receive ad valorem taxes on motor vehicles. (Proposed by Act 2004-537)

Yes  
No

**PROPOSED AMENDMENTS TO BE ON THE BALLOT IN ONE COUNTY ONLY**

**Barbour County**

Relating to Barbour County, proposing an amendment to the Constitution of Alabama of 1901, to authorize Barbour County and any municipality located therein to perform certain actions for the purpose of economic and industrial development. (Proposed by Act 2003-122)

Yes  
No

**Blount County**

Relating to Blount County, proposing an amendment to Amendment No. 718 to the Constitution of Alabama of 1901, to allow a sheriff of Blount County to be included within the phase-out of the supernumerary program and to be allowed to participate in the State Employees' Retirement System. (Proposed by Act 2004-231.)

Yes  
No

**Clarke County**

Relating to Clarke County, proposing an amendment to Amendment No. 631 to the Constitution of Alabama of 1901, to allow a sheriff of Clarke County to be included within the phase-out of the supernumerary program and to be allowed to participate in the State Employees' Retirement System. (Proposed by Act 2004-393)

Yes  
No

**Conecuh County**

**Proposed Local Amendment No. 1**

Relating to Conecuh County, proposing an amendment to Amendment 634 to the Constitution of Alabama of 1901, to delete the authority to use the additional fees on civil and criminal cases for construction and operation of the existing county courthouse. (Proposed by Act 2003-75)

Yes  
No

**Proposed Local Amendment No. 2**

Relating to Conecuh County, proposing an amendment to the Constitution of Alabama of 1901, to authorize an amendment to the Constitution of Alabama of 1901, to authorize the establishment of the Conecuh County Reservoir Management Area Authority for the development of Murder Creek in Conecuh County (Proposed by Act 2004-392)

Yes  
No

**Dallas County**

Proposing an amendment to the Constitution of Alabama of 1901, authorizing the governing body of the City of Selma in Dallas County to establish an Alabama Foreign Trade Investment Zone as a special tax district for the purpose of importing duty free and quota free articles eligible under the United States General System of Preferences and the Africa Growth and Opportunities Act and would specify that the value of land and improvements on the land within the district would be assessed and taxed for ad valorem tax purposes by county tax officials under a single site valuation system. (Proposed by Act 2004-232.)

Yes  
No

**Etowah County**

Relating to Etowah County and the municipalities located therein, proposing an amendment to the Constitution of Alabama of 1901, to authorize Etowah County and any municipality located therein to perform certain actions for the purpose of economic and industrial development. (Proposed by Act 2003-408)

Yes  
No

**Hale County**

**Proposed Local Amendment No. 1**

Relating to Hale County, proposing an amendment to the Constitution of Alabama of 1901, to phase out the supernumerary system for certain elected public officials and allow them to participate in the Employees' Retirement System. (Proposed by Act 2003-204)

Yes  
No

**Proposed Local Amendment No. 2**

Relating to Hale County, proposing an amendment to the Constitution of Alabama of 1901, to levy an additional 30 mill ad valorem tax on certain classes of property; to increase the homestead exemption from \$2,000 to \$5,000 for tax levies subject to the homestead exemption; and to provide that the increase in the countywide tax shall be distributed by local act. (Proposed by Act 2004-542)

Yes  
No

**Limestone County**

**Proposed Local Amendment No. 1**

Relating to Limestone County, proposing an amendment to the Constitution of Alabama of 1901, to provide for the election of the Limestone County Board of Education by the qualified electors of the county residing outside of the corporate limits of any city with a separate city board of education. (Proposed by Act 2004-45.)

Yes  
No

**Proposed Local Amendment No. 2**

Relating to Limestone County, proposing an amendment to the Constitution of Alabama of 1901, to provide for the equalization of the rate of ad valorem taxation levied for school purposes in the portion of the City of Madison located in Limestone County with the portion of the City of Madison located in Madison County. (Proposed by Act 2004-312)

Yes  
No

Proposed Local Amendment No. 3

Relating to Limestone County, proposing an amendment to the Constitution of Alabama of 1901, to phase out the supernumerary system for certain public officials and allow elected or appointed county officials, as defined, to participate in the Employees' Retirement System and to allow the employees of the Town of Ardmore in Limestone County to participate in the Employees' Retirement System. (Proposed by Act 2004-389)

Yes  
No

Proposed Local Amendment No. 4

Relating to Limestone County, proposing an amendment to the Constitution of Alabama of 1901, to grant certain home rule powers, not to include the power to tax or raise revenue, to the Limestone County Commission. (Proposed by Act 2004-535)

Yes  
No

**Macon County**

Proposing an amendment to the Constitution of Alabama of 1901, authorizing the governing body of the City of Tuskegee in Macon County to establish an Alabama Foreign Trade Investment Zone as a special tax district for the purpose of importing duty free and quota free articles eligible under the United States General System of Preferences and the Africa Growth and Opportunities Act and would specify that the value of land and improvements on the land within the district would be assessed and taxed for ad valorem tax purposes by county tax officials under a single site valuation system. (Proposed by Act 2004-394)

Yes  
No

**Madison County**

Relating to Madison County, proposing an amendment to the Constitution of Alabama of 1901, to phase out the supernumerary system for certain public officials and allow elected or appointed county officials, as defined, to participate in the Employees' Retirement System. (Proposed by Act 2004-543)

Yes  
No

**Mobile County**

Proposed Local Amendment No. 1

Relating to Mobile County, proposing an amendment to Amendment No. 648 to the Constitution of Alabama of 1901, to specifically include the sheriff within the group of certain elected officials in Mobile County who may participate in the Employees' Retirement System. (Proposed by Act 2003-414)

Yes  
No

Proposed Local Amendment No. 2

Proposing an amendment to the Constitution of Alabama of 1901, authorizing the governing body of the City of Prichard to establish an Alabama Foreign Trade Investment Zone as a special tax district for the purpose of importing duty free and quota free articles eligible under the United States General System of Preferences and the Africa Growth and Opportunities Act; would specify that the value of land and improvements on the land within the district would be assessed and taxed for ad valorem tax purposes by county tax officials under a single site valuation system; and would provide further for the contractual powers of nonprofit organizations. (Proposed by Act 2004-98.)

Yes  
No

Proposed Local Amendment No. 3

Relating to Mobile County, proposing an amendment to the Constitution of Alabama of 1901, to authorize the issuance of bonds to include land and capital improvements and to continue the existing levy of the tax authorized by Amendment 18, as amended. (Proposed by Act 2004-417)

Yes  
No

**Monroe County**

Relating to Monroe County, proposing an amendment to the Constitution of Alabama of 1901, to phase out the supernumerary system for certain elected public officials and allow them to participate in the Employees' Retirement System. (Proposed by Act 2004-240.)

Yes  
No



**Pickens County**

Proposed Local Amendment No. 1

Relating to Pickens County, proposing an amendment to the Constitution of Alabama of 1901, to phase out the supernumerary system for certain elected public officials and allow them to participate in the Employees' Retirement System. (Proposed by Act 2003-76)

Yes  
No

Proposed Local Amendment No. 2

Relating to Pickens County, proposing an amendment to the Constitution of Alabama of 1901, to amend Amendment No. 649 of the Constitution of Alabama of 1901, authorizing an administrative fee of no more than 3 percent of the special ad valorem for fire protection. (Proposed by Act 2004-241)

Yes  
No

**Shelby County**

Proposed Local Amendment No. 1

Relating to Shelby County, proposing an amendment to the Constitution of Alabama of 1901, to authorize the Legislature by local law to provide for the enforcement of traffic laws on private roads in private gated communities in the county. (Proposed by Act 2003-121)

Yes  
No

Proposed Local Amendment No. 2

Relating to Shelby County, proposing an amendment to the Constitution of Alabama of 1901, to allow the Judge of Probate of Shelby County to exercise equity jurisdiction concurrent with that of the circuit court in cases originally filed in the Probate Court of Shelby County if the Judge of Probate is licensed to practice law in the State of Alabama. (Proposed by Act 2003-123)

Yes  
No

**St. Clair County**

Relating to St. Clair County, proposing an amendment to the Constitution of Alabama of 1901, to amend Amendment 652, providing further for the distribution of the ad valorem taxes called for fire protection. (Proposed by Act 2004-395)

Yes

No

**Tuscaloosa County**

Relating to Tuscaloosa County, proposing an amendment to the Constitution of Alabama of 1901, to phase out the supernumerary system for certain elected public officials and allow them to participate in the Employees' Retirement System. (Proposed by Act 2003-120)

Yes

No

**Walker County**

**Proposed Local Amendment No. 1**

Relating to Walker County, proposing an amendment to the Constitution of Alabama of 1901, to provide for the creation of the Corridor X Parkway Authority located in Walker County and providing for the composition, jurisdiction, and powers of the authority relating to zoning near any limited access highway in Walker County, including, but not limited to, uniformity of landscaping and roadside design, land use, limitations and uniformity of signs, and the regulation of the outward physical features of buildings and structures. (Proposed by Act 2003-71)

Yes

No

**Proposed Local Amendment No. 2**

Relating to Walker County, proposing an amendment to the Constitution of Alabama of 1901, to phase-out the supernumerary system for certain public officials and allow elected or appointed county officials, as defined, to participate in the Employees' Retirement System. (Proposed by Act 2003-74)

Yes

No