

Call for Constitutional Convention

Summary of HB 308 and SB 243

Convention Call

- **June 2010:** Special election at the same time as Gubernatorial Primary Election.
- Alabama Fair Campaign Practices act will apply.
- Convention called if majority of voters voting in the election shall approve.

Delegate Selection

- 210 delegates elected, two from each House district.
- Elections will be non-partisan.
- \$50 qualifying fee is required.
- Requirements: 18 years old prior to election, 3 year Alabama residency, 1 year in district prior to election, live in the district while serving (same as Alabama House of Representatives).

Delegate Races

- Delegate election is November 2010, same as the Gubernatorial General Election.
- Candidates for delegate shall qualify not less than 60 days prior to delegate election, September 2010. Top two elected
- Elections will be non-partisan.
- Fair campaign practices shall apply with added restriction below.

Reporting Rules / Financial Limits

- Candidate is prohibited from accepting more than \$100 from any one source including in-kind contribution. No listing to define source.
- Upon election the delegate is subject to the Alabama Ethics Act.
- \$100 limit, in-kind contributions included.

- No contribution accepted after filing last FCPA report which is due five-ten days before election.
- No post election contributions.
- If individual receives \$1000, or this is received on his behalf, that individual is a candidate even if not filed with Secretary of State.
- Fair Campaign Practices Act applies.

Lobbyist Restriction

- Lobbyist defined the same as Section 36-25-1(17) and (18) Code of Alabama
- Lobbyist must register by December 1, 2010 under the State Ethics Commission, file reports as required and comply with Alabama Code of Ethics, until final convention proposal or conclusion.
- Additionally each lobbyist shall report to State Ethics Commission, under oath, expenditures made by him or relatives for lobby activities on the first and 15th day of the month beginning December 1, 2010 while Convention exists.
- Delegates shall be prohibited from receiving a thing of value in association with duties as delegate.

The Convention

- Delegates convene the first Monday in June 2011: June 6, 2011.
- Delegates organize and elect President and any officers deemed necessary and continue at time and place designated by President; Officers must be Delegates
- Delegates provided supplies in same manner as Legislature for 60 days.
- Convention Funding ends September 30, 2011.

Compensation

- Same compensation and expense allowance as legislators per meeting day.
- 60 Convention meeting days.
- Per diem and Legislative expenses may be received up to 60 days.
- No duplicate payments to legislators serving as delegate should he or she be on other state business on same day.

New Document

- Convention determines product.
- Single Constitution document or proposals presented for “yes” or “no” vote by the people.

Ratification (Amendment 714, requiring vote by people, passed Nov 2002)

- Election on a new constitution document will occur November of 2012 at Presidential General election.
- New Constitution takes effect as of the following January 1, 2013.
- Process is 2 years and 6 months from the vote to call a convention passed to implementation of new Constitution.

TIME LINE HB 308 and SB 243

February-May 2008 Legislative session
to consider Call for Convention

June, 2010 Vote on Convention Call
(Gubernatorial Primary)

September, 2010 Must Qualify for Delegate race
(60 days prior)

November, 2010 Election of Delegates
(Gubernatorial Election) Top Two elected

December, 2010 Ethics Commission
Lobbyist reporting required

June 1, 2011 Convention Convenes

September 30, 2011 Convention Funds end

November 2012 Ratification vote on the new
Constitution/proposals offered (Presidential
General Election)

January 1, 2013 New Constitution goes
Into effect if ratified

**If not approved by the People, the 1901
Constitution is retained**

Voters in Alabama have approved six Constitutions. Most states have had several constitutions. Some states even require that their constitutions be re-written every 10 or 20 years.

Will the transition to a new Constitution work without chaos?

All previous amendments and laws will apply to past decisions. A new constitution would apply to new activities. The new constitution should have a section called "schedule" which should lay out the smooth transition from old to new. This process has been used by many states with no problems with orderly transition. Alabama can implement a new constitution without chaotic results.

Bill Sponsors:

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SB 243

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Summary and Time Line

HB 308 and SB243

2008 Session

Bills Calling for a Constitutional Convention

2008 Legislative Session

02/06/08
