



Why We Need a New Constitution

- **Home Rule:** Alabama is the only state in the southeast that deprives counties of local control, forcing county governments to seek legislative approval for even the most mundane of matters, including leash laws, rodent control, billboard regulations, court costs, and fire protection, among others. Our state legislature spends nearly 50% of its time debating local issues, and over 70% of our constitutional amendments apply to a single city or county. Doesn't it make more sense to let local governments deal with local problems?
- **Tax Fairness:** The current constitution forces our poorest citizens to pay a disproportionate share of their income in taxes. For example, the wealthiest one percent of Alabamians pay about 4% of their income in state taxes, while the poorest fifth of our citizens pay nearly 11%. Moreover, Alabama families begin paying income taxes after just \$4,600 in earnings, the lowest threshold in the nation. By contrast, Mississippi does not begin collecting income tax until a family makes more than \$19,000 in a year. Alabama is one of only a handful of states that still collects sales taxes on groceries and non-prescription drugs.
- **Economic Development:** The 1901 Constitution prohibits state and local governments from participating in internal improvements or economic development activities. Over 50 amendments allow various governing bodies different powers to promote economic development and invest in infrastructure projects, but the original provisions that put a straightjacket on economic development are still there. As a result, the restrictions apply fully in some counties, partially in others, and not at all in still others.
- **Budget Flexibility:** On average, most states earmark 22% of their revenues; Alabama earmarks nearly 90%. This gives the governor and the legislature very little flexibility to match available resources with the most pressing needs, particularly when revenues fall short. For example, our state's education budget has faced proration eight times in the last 17 years.
- **Constitutional Length:** Alabama's constitution now has 743 amendments (including amendments dealing with bingo, mosquito control, catfish, soybeans, dead farm animals, beaver tails, and prostitution), while the national average is 116. The constitution itself is easily the longest in the nation and is 12 times longer than the typical state constitution.
- **Principles of Democracy:** The main objectives of the framers of the 1901 Constitution were to remove the voting rights of African-Americans and poor whites in Alabama while centralizing power in the hands of a few special interests in Montgomery. These goals were achieved with astounding success. By 1903, the number of African-American citizens registered to vote had dropped from 181,000 to less than 4,000, and over 40,000 white citizens had lost their right to vote as well. Although the infamous voting restrictions of 1901 were overturned by federal courts, evidence of this embarrassing legacy still remains in our Constitution today, and the centralization of power remains as strong as ever.