



Analysis of Amendments on Alabama Ballots 2018

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In the Alabama general election on November 6, 2018, four proposed Constitutional amendments will be on Alabama ballots statewide. The League of Women Voters of Alabama has analyzed these ballot measures. Here is a statement of each proposed amendment as it will appear on the ballot, an explanation of the amendment for clarification, and a summary of consequences of the vote - what will happen if the amendment passes and what will happen if it does not pass. This and much more candidate and election information is presented in the League's nonpartisan online voter guide at Vote411.org.

AMENDMENT 1 RELATING TO DISPLAY OF THE TEN COMMANDMENTS

How it Appears on the Ballot

Proposing an amendment to the Constitution of Alabama of 1901, providing for certain religious rights and liberties; authorizing the display of the Ten Commandments on state property and property owned or administrated by a public school or public body; and prohibiting the expenditure of public funds in defense of the constitutionality of this amendment.

Explanation

This would add language to the Constitution of Alabama that would:

- Affirm that everyone has the right to worship God in his or her own way and that no one can be compelled to attend religious worship or contribute to a religious organization.
- Allow the Ten Commandments to be displayed on property owned by the state, including public schools. This display must be "in accordance with Constitutional principles."
- Forbid spending public moneys to defend the amendment from a legal challenge.

If passed with a majority of "yes" votes, the amendment would add language to the state constitution reaffirming the right to worship (or not) as one chooses, and allow the display of the Ten Commandments in publicly owned spaces.

If the majority votes "no", language would not be added to the state constitution pertaining to religious practices and the display of the Ten Commandments.

AMENDMENT 2 RELATING TO ABORTION

How it Appears on the Ballot

Proposing an amendment to the Constitution of Alabama of 1901, as amended; to declare and otherwise affirm that it is the public policy of this state to recognize and

support the sanctity of unborn life and the rights of unborn children, most importantly the right to life in all manners and measures appropriate and lawful; and to provide that the constitution of this state does not protect the right to abortion or require the funding of abortion

Explanation

Currently the Alabama Constitution does not contain any language pertaining to abortion. This amendment would make the protection of unborn life, as far as existing laws allow, part of the state's public policy. It also states that public funds cannot be required to be spent for abortions.

If passed with a majority of "yes" votes, protection of "unborn life" would be state public policy. If Roe v Wade should be reversed, removing the federal protection for women's right to choose, passage of this amendment would allow Alabama to outlaw abortion.

If the majority votes "no", the law on abortion would remain as it is. The constitution would have no mention of abortion.

**AMENDMENT 3
RELATING TO THE STRUCTURE OF THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ALABAMA**

How it Appears on the Ballot

"Proposing an amendment to the Constitution of Alabama of 1901, relating to the Board of Trustees of the University of Alabama, to specify that the congressional districts from which members are appointed continue to reflect those as constituted on January 1, 2018, to remove the State Superintendent of Education from membership, and to delete the requirement that members vacate office at the annual meeting of the board following their seventieth birthday."

Explanation

This would change the composition of the Board of Trustees of The University of Alabama. Currently, the Board is comprised of the Governor, the Superintendent of Education, three members from the Congressional District in which Tuscaloosa is located, and two members from each of the other Congressional Districts in the state. Except for the Governor and the Superintendent of Education, these Trustees cannot serve after their 70th birthdays. If, after the census, Alabama's Congressional Districts are reconfigured, the number of Trustees could change, or the districts in which they are domiciled could change. This amendment would require the Trustees to be appointed from each of the current Congressional Districts. In addition, it would remove the Superintendent of Education as an automatically appointed member of the board and delete the requirement that board members retire after the age of 70 (which would comply with an amendment enacted in 2016 prohibiting age limits for most government officials

If passed with a majority of "yes" votes, this amendment would change the composition of the University of Alabama's Board of Trustees. The Superintendent of Education would no longer be automatically appointed to the Board. Members could serve after

they reached the age of 70. The districts from which Trustees are appointed would remain the same as they were on January 1, 2018.

If the amendment does not pass, the composition of the University of Alabama's Board of trustees would remain as it is now: The Governor and Superintendent of Education plus 3 members from the Congressional District which holds Tuscaloosa, and 2 members from the other 6 Congressional Districts (subject to Congressional redistricting). Members would need to retire after their 70th birthdays.

AMENDMENT 4 RELATING TO SPECIAL ELECTIONS

How it Appears on the Ballot

"Proposing an amendment to the Constitution of Alabama of 1901, to provide that, if a vacancy in either the House of Representatives or the Senate occurs on or after October 1 of the third year of a quadrennium, the seat would remain vacant until a successor is elected at the next succeeding general election.

Explanation

Currently, when state legislators are unable to serve out their entire terms, the governor is required to hold a special election to fill these empty positions. This amendment would allow such positions to remain unfilled if the vacancy occurs on or after October 1 of the third year of a 4-year term, leaving a vacancy for as much as 14 months. This would save the state government the expense of holding a special election and possibly a run-off. On the other hand, it could also mean that the constituents of the vacant office would not be represented in the legislature.

If passed with a majority of "yes" votes, the governor would not be required to hold a special election when a legislator leaves a term vacant for 13 months or less. In addition, a special election would not have to be held if there is only one candidate on the ballot; that candidate would automatically take office.

If the amendment does not pass, our present practice of holding special elections when legislators cannot serve their full terms would continue.