

1 HB537
2 176882-1
3 By Representatives Collins, Baker, McMillan, Beech,
4 Black, Greer, Johnson (K), Rich, Patterson, Whorton (R),
5 Williams (P), Pettus, Nordgren, Robinson and Davis
6 (Constitutional Amendment)
7 RFD: Education Policy
8 First Read: 12-APR-16

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8 SYNOPSIS: Under existing law, the State Superintendent
9 of Education is appointed by and serves at the
10 pleasure of the State Board of Education.

11 This bill would propose an amendment to
12 Amendment No. 284 to the Constitution of Alabama of
13 1901, now appearing as Section 264 of the Official
14 Recompilation of the Constitution of Alabama of
15 1901, as amended, to provide that the
16 Superintendent of Education would be appointed by
17 the Governor and would serve as a member of the
18 Governor's Cabinet.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 To propose an amendment to Amendment No. 284 to the
25 Constitution of Alabama of 1901, now appearing as Section 264
26 of the Official Recompilation of the Constitution of Alabama
27 of 1901, as amended, relating to the selection,

1 qualifications, powers, duties, and tenure of the State
2 Superintendent of Education, to provide that the
3 Superintendent of Education would be appointed by the Governor
4 and would serve as a member of the Governor's Cabinet.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The following amendment to the
7 Constitution of Alabama of 1901, as amended, is proposed and
8 shall become valid as a part thereof when approved by a
9 majority of the qualified electors voting thereon and in
10 accordance with Sections 284, 285, and 287 of the Constitution
11 of Alabama of 1901, as amended:

12 PROPOSED AMENDMENT

13 "Amendment No. 284.

14 "1. General supervision of the public schools in
15 Alabama shall be vested in a ~~state board of education~~ State
16 Board of Education, which shall be elected in such manner as
17 the ~~legislature~~ Legislature may provide.

18 "2. The chief state school officer shall be the
19 ~~state superintendent of education, who shall be appointed by~~
20 ~~the state board of education and serve at its pleasure~~ State
21 Superintendent of Education. The State Superintendent of
22 Education shall be appointed by the Governor and shall serve
23 as a member of the Governor's Cabinet. The authority and
24 duties of the ~~superintendent of education~~ Superintendent of
25 Education shall be determined by the ~~state board of education~~
26 ~~according to such regulations as the legislature may prescribe~~
27 Governor. The ~~superintendent of education~~ Superintendent of

1 Education shall receive an annual salary ~~which shall be fixed~~
2 ~~by the legislature of Alabama and shall be paid from the state~~
3 ~~treasury in installments as the salaries of other state~~
4 ~~officers are paid~~ the same as provided to other members of the
5 Governor's Cabinet.

6 "3. The ~~legislature~~ Legislature shall enact
7 appropriate laws to implement or enforce this ~~article of~~
8 amendment.

9 "4. The provisions of ~~article~~ Article V and Article
10 XIV of the Constitution of Alabama as amended in conflict with
11 this article are expressly repealed. ~~However, this amendment~~
12 ~~shall not be so construed as to effect the election or term of~~
13 ~~the state superintendent of education chosen before it becomes~~
14 ~~valid as a part of the Constitution."~~

15 Section 2. An election upon the proposed amendment
16 shall be held in accordance with Sections 284 and 285 of the
17 Constitution of Alabama of 1901, now appearing as Sections 284
18 and 285 of the Official Recompilation of the Constitution of
19 Alabama of 1901, as amended, and the election laws of this
20 state.

21 Section 3. The appropriate election official shall
22 assign a ballot number for the proposed constitutional
23 amendment on the election ballot and shall set forth the
24 following description of the substance or subject matter of
25 the proposed constitutional amendment:

26 "Proposing an amendment to the Constitution of
27 Alabama of 1901, to provide that the Superintendent of

1 Education would be appointed by the Governor and would serve
2 as a member of the Governor's Cabinet.

3 "Proposed by Act _____."

4 This description shall be followed by the following
5 language:

6 "Yes () No ()."