

Constitutional Reform in Alabama: Why Efforts for Change Continue to Fail

by

Rebecca Short Hartley

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Approved by

Steven P. Brown, Professor of Political Science and Department Chair
Cynthia Bowling, Professor of Political Science and Ph.D. Program Director
James S. Day, Professor of History
William Franko, Assistant Professor of Political Science

Abstract

Alabama has been governed by the same constitutional document for one hundred thirteen years. The document is outdated and it is also the longest constitution in the world. Two of the most unique components of the document are a lack of home rule and the state's tax structure is based on laws set forth in the constitution. Since 2000 grassroots movements across the state have brought various issues—length, language, and regressive tax structure—to light but the document remains unchanged. This study focuses on the history of the state to determine if political or socioeconomic factors are the reason behind the stagnant process in the grassroots movements. One component of the study is a comparative study between two Deep South states to illustrate one state that has made changes and one that has not in comparison with similar trends in Alabama. Additionally, a secondary analysis of public opinion survey data collected statewide is also analyzed to determine if citizens are interested, against, or indifferent to changes in the constitution. Finally, an examination of the 1973 Judicial Article was conducted to determine the political climate of Alabama that led to making a significant change in the constitution. This research seeks to provide generalizations for a lack of change in Alabama's Constitution when other states are more amenable to revising their governing documents.

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CHAPTER I

A Review of the 1901 Alabama Constitution

Introduction

In the summer of 1901 in Montgomery, Alabama, 155 white men, who were delegates from the state's sixty-six counties,¹ convened the Alabama Constitutional Convention. John B. Knox, a Democrat and prominent attorney from Anniston represented Calhoun County and served as President of the Convention which created and implemented the constitution still in use today. The current constitution is the sixth governing document for the state since 1819 (McMillan 1955, 259).

The first constitution of 1819 moved Alabama from a territory to a state. This type of governing document was typical during this time period because states were becoming more organized and establishing themselves as states. The second constitution of 1861 initiated Secession. Similar to the 1861 document, Alabama followed a trend seen with other states to write a constitution that defined the procedures used to break free from the Union (McMillan, 1955). The 1865 constitution attempted to establish Reconstruction but was never ratified due to Radical Reconstruction. Serious disagreement over which area of the state should control the legislature dominated the convention although other issues such as the abolishment of slavery, repealing of secession, and renunciation of debt incurred during the war were passed (McMillan, 1955).

The fourth constitution in 1868 "was a break with Alabama's constitutional past in regard to the new articles on education, women's rights, industrial resources, militia, corporations, and

¹ In 1901 the state of Alabama had only 66 counties. In 1903, Houston County was the last county created which brought the total to 67 counties which remains the total today.

exempted property (McMillan, 1955, 149). This constitution required submission to the people for a vote per the Reconstruction Act of 1867 (i.e. passage of the constitution by a constitutional convention was not permitted). Finally, the constitutions of 1875 and 1901 created similar policies for the state in suffrage, home rule, and further empowering those who dominated the state through its industry power houses (McMillan, 1955).

In 1901, the state was still recovering from the lingering effects of the Civil War. Although that conflict had ended three decades prior to the Convention, fear of change and the looming uncertainty of a new century made Alabamians seek refuge in a new constitution. Citizens faced some of the hardest forces of poverty during the Civil War and because of this long-term destitution. Because of their experience with life during the war, those who survived were unwilling to consider implementation of any legal document that would take money away from the farmer or timber laborer, the state's largest workforce, and give it to a banker in the state's larger cities such as Birmingham (Flynt, 1989). Because of this fear, citizens insisted that the principles regarding white suffrage and the tax structure would be governed by the constitution to ensure that those important values would not change over time.

The 1901 constitution has more than eight hundred amendments. These amendments have been the means by which the state makes changes to the document instead of revising or reforming the entire document. Consequently, this adds to the length of the document and has caused it to become outdated due to the cycle of continuous amendments without revision. Limited home rule, tax fairness, budget flexibility, and principles of democracy have been questioned by grassroots movements, university professors, legislators, and other key stakeholders who have sought changes to this document since the turn of the twenty-first century.

Each of the four factors mentioned previously are met with agreement and disagreement by citizens and legislators. Many agree that home rule, or allowing counties and towns to govern themselves assuming the laws fall within state and federal constitutional guidelines, is an acceptable practice. Others believe it is important to learn from the history of the state and not allow localities to pass laws without receiving statewide permission (e.g. statewide vote by the people) to change their local laws. Still others agree that the state legislature should maintain control over changes to local entities.

A lack of tax fairness is illustrated by Alabama's ranking as second in the nation for the highest average local sales tax rates (Drenkard, 2014). While property taxes have remained at one of the lowest rates in the nation, sales taxes have been consistent in rising steadily which creates a regressive environment and puts the poor at a significant disadvantage when buying necessities such as food, clothing, and gasoline. Approximately ninety percent of Alabama's state budget is earmarked each year which gives little fiscal flexibility to the legislature planning for repairs, crises, and strategic development. Principles of democracy involve examples of racist and sexist language contained throughout the document which have been superseded by federal laws. Nonetheless, these words paint a timeworn picture of the state despite advances made over the last forty years.

Statement of the Problem

Alabama has several problems related to the regressive nature of the laws set forth in the 1901 constitution. Those issues are: home rule, tax fairness, budget flexibility, and principles of democracy. Limited home rule affects counties and municipalities within the state in a negative way because they are not allowed to govern themselves without sending local bills and

amendments for a statewide vote. The current tax structure is embedded in the constitution and therefore difficult to change. This is an unusual part of a state constitution as most state tax structures are not laws. Because the tax structure in Alabama is based primarily on sales tax and based less on property or income taxes, the regressive nature of taxation in the state affects the poor in an unfavorable way (Thomson 2002).

A significant portion of the annual budget is earmarked which gives little flexibility in budgeting for projects, emergencies, etc. There are significant differences between education level and socioeconomic status. These differences leave those who may not be knowledgeable about the impact of changing the current constitution at a disadvantage.

Property taxes are significantly low. In fact, Alabama ranks forty-ninth in the nation for the lowest rate of property taxes. This affects the quality of education, the conditions of roads, and the opportunity for acquiring other resources. If property taxes tripled, the ranking in this area would increase to forty-eighth, and doubling property taxes would create no change in the current ranking (Lewis, 2007).

Some Alabamians view the constitution's fundamental purpose as a means by which to set "reasonable minimum standards that everyone can rely on for economic development and other functions (Williams 2009, 2)." However, actions within the state legislature and outside forces seem to be consistent with a previous focus of creating the document, "...to lay deep and strong and permanent in the fundamental law of the State the foundation of white supremacy forever in Alabama" (ALISON: Alabama Legislative Information System Online). While all states contain groups that vie for power and resources, Alabama has numerous interest groups who are consistently successful in maintaining the status quo.

Although there has been little change in the constitution and the tax structure, citizen awareness and organization have created groups who advocate for constitutional reform. The Alabama Citizens for Constitutional Reform (ACCR) organization began as a grassroots movement in Tuscaloosa in 2000. ACCR educates the public on the main issues deemed problematic with the current constitution. While the movement has become popular throughout Alabama, the constitution remains unchanged despite growing public interest in reform.

Research Questions

The following research questions directed this research study:

1. Given the growing amount of public interest in reforming the 1901 Alabama Constitution why does constitutional reform continue to fail in Alabama?
2. Do efforts for reform fail because of a lack of public opinion on the issue or because of political culture or socio-economic reasons?

Methodology

Constitutional reform in Alabama is a topic that has been closely debated over the last fourteen years. However, many of the articles and editorials that have shed light on the issue have focused on the opinions of the authors and not solely on public opinion in terms of reform. For this study, the researcher uses a comparative case study with process tracing and content analysis to analyze multiple data sources and create generalizations about why the 1901 constitution remains unchanged. This research design is consistent with research methods found throughout social science literature (Hyman, 1972; Yin, 2003).

The first focus of the research design was to collect data from the Alabama Legislature on proposed bills for constitutional reform from 2001-2012. These bills were initiated in the Constitution, Campaigns & Elections Committee of the House and the Constitution, Campaign Finance, Ethics, & Elections Committee of the Senate. The first step was to identify bills that were proposed in the committees and then trace roll call votes after those bills passed in the committees.

The second focus of the research design was to conduct a secondary analysis of public opinion survey research data from statewide reporting agencies. Eleven agencies were contacted for data, and four supplied data for this research study: ²Alabama Citizens for Constitutional Reform, Capital Survey Research Center (CSRC), Public Affairs Research Council of Alabama (PARCA), and Southeast Research, Inc. Initially, the research design called for a secondary analysis of the data to identify patterns and changes in survey responses. The research design was enhanced to include a quantitative analysis to project trends in the data and a closer analysis of demographic characteristics that impacted the responses. This was completed after CSRC provided data spanning ten years which was more years than originally anticipated.

A third focus of the research is a comparative case study including process tracing and content analysis between the states of Georgia and South Carolina in their constitutional reform efforts. These states were chosen because they are located within the Deep South region of the country which gives similar political cultural values. Georgia was chosen because it adopted a reform to its constitution in the early 1980s.

South Carolina was chosen because it uses the same constitution that was ratified in 1895. Different from Alabama, South Carolina has undergone an article-by-article revision

² The data supplied by Alabama Citizens for Constitutional Reform were from the Capital Survey Research Center. However, the group was helpful in providing transcripts from group discussions on reform, meetings with legislative offices, town hall meetings, etc.

process beginning in 1968. Both southern states have unique perspectives on constitutional reform and the political climate that made a total revision or an article-by-article revision process possible. This portion of the research design required extensive research of notes, transcripts, and other documentation housed at the Clemson University Libraries in Clemson, SC. Originally the intent was to access information at the Georgia Archives in Morrow, GA and the South Carolina Department of Archives and History in Columbia, SC; however, the information needed was all provided at the Clemson University Libraries.

A final focus of the research design was to analyze the 1973 Judicial Rewrite of the 1901 Alabama Constitution. This part of the research design included process tracing and content analysis of documents donated to the Alabama Archives by Dr. Gerald Johnson. The documents contain interviews, transcripts, and notes taken by the team of researchers who investigated the Judicial Article during the 1990s. The Judicial Article marks the only significant revision to the 1901 constitution. This portion of the research design required a review of documents at the Alabama Department of Archives and History in Montgomery.

Overview of Chapters

The literature review covered in Chapter II focuses on the history and background of state constitutions, the history of each Alabama Constitution, interest groups, grassroots movements, the Nineteenth-Century Populism Movement, American political culture, Alabama political culture, the history of the Alabama Judicial Article of 1973, and the policy-making process. Because of the nature of this research design, it is important to clearly explain the background of each of these issues as they are important factors in understanding the overall struggles to change

the 1901 constitution. The chapter also focuses on why no movement has been made in revising the constitution given the obvious changes in culture, legislation, and time over the last 114 years.

Chapter III provides the methodology and approach for this research study. The background and significance of constitutional reform movements within the state as well as arguments for and against change are also presented. This chapter clearly illustrates the research design for this study and the methods for data collection. The conclusion focuses on the weaknesses and limitations of this study.

Chapter IV focuses on case studies of constitutional reform efforts within the Deep South. The states selected in this chapter were Georgia and South Carolina. Georgia was chosen because it made a significant change to its constitution, and South Carolina was selected because it currently uses an outdated constitution with a significant number of amendments. The final case study was an analysis of the Alabama Judicial Article of 1973. An onsite review of the documents housed at the Alabama Department of Archives and History is contained within this chapter. Included are the findings of the Alabama Legislature's activities in both the House and Senate Committees associated with constitutional reform.

Chapter V presents the secondary data analysis of the compiled public opinion survey research provided by statewide collection agencies. Additionally, a quantitative analysis of trends and projections is provided from the raw data provided by the Capital Survey Research Center during 2008, 2009, and 2010.

Chapter VI presents the major findings of this research study. A discussion of the policy process in Alabama is examined in light of the findings. Additionally, the effect of public

opinion on this issue is examined. Potential policy implications are presented along with future research goals as a continuation of this research study.

CHAPTER II

LITERATURE REVIEW

To understand the importance of the issue of constitutional reform in Alabama, it is essential to consider several key concepts that serve as a foundation for the topic. Those include the history of U.S. state constitutions and their importance to the nation, the history of the Alabama Constitution, the role of interest groups in the political process, the history of grassroots movements in Alabama, and political culture both at a national level and in Alabama.

What follows is information on each of these topics by definitions, contributions at the state or national level, and author's opinions in each of the respective areas. Each concept builds on the other to show why Alabama has struggled to realize constitutional reform over the last one hundred years. The final section gives an analysis on missing links and what will become the focus of this research.

History of State Constitutions

The creation of state constitutions dates back to the mid-1700s when colonies had become states and were no longer under the direct control of Great Britain. During this time, many state constitutions referenced Great Britain and some used language, as in South Carolina's constitution, stating that reconciliation with Great Britain was preferable and a state would no longer need a constitution (Tarr 1996). Other states, such as Virginia, referenced Great Britain with a potential to reclaim control of the state at which time the constitution would be void.

After the American Revolution, states began to revise their constitutions to restrict references to Great Britain (Tarr 1998). Eighteenth-century state constitutions included a clear recognition that the people of the state held the political power to make changes. During the 1800s states continued to revise their constitutions based on changes in economics and social issues. In fact, the Virginia Declaration of Rights stated that “the community hath an indubitable, unalienable, and indefeasible right to reform, alter, or abolish government in such manner as shall be by that community judged most conducive to the public weal” (1998, 74).

The majority of changes in state constitutions occurred in the 1900s for three distinctive reasons: intrastate distribution of power, the scope of state governmental power, and the relation of the state to economic activity (Tarr 1998). These continue to provide the impetus for current changes in state constitutions most specifically addressing the need for state constitutions to be congruent not only with the political concerns of citizens but also with economic activity.

In addressing dated constitutions, Tarr cites three reasons that states should review the content of these documents. First, those who wrote constitutions at the end of the Eighteenth Century were following a Jeffersonian belief that the process by which a state constitution was created should reflect a more progressive way of thinking (2006, 4). The framers believed that those who would follow them would know more about the way in which the constitution should encompass the lives of citizens. Simply stated, the framers did not believe the constitution they were writing would be the constitution of our present day.

Second, because state constitutions are much more detailed than the federal constitution, they lend themselves to frequent revision (2006, 5). Many scholars note that framers of state constitutions felt strongly that their intent was to fill in the gaps of the federal constitution. Where the federal constitution was intentionally vague in some areas, it became the right of each

state to provide specific guidance for its citizens. Typically, this was based on the citizen preferences.

A third reason Tarr discusses for revising constitutions is to create a unifying effort among citizens (2006, 6). State constitutional reform lends itself to requiring a group of citizens to petition for a change and can, in some cases, spur the creation of grassroots movements to gain attention from state legislators. In the end, citizens feel as though they have contributed to the process as a whole, and the constitution reflects their values.

There are three commonly held perspectives on state constitutionalism, or the development of state constitutions. The first is political culture in which Daniel Elazar has written extensively. According to Elazar a state's political culture reflects the "persistent patterns of underlying political attitudes and values and characteristic responses to political concerns" (1970, 256). He says that a state's political leaders must understand both the political attitudes and concerns in order to better understand the state's constitution. A better understanding of these characteristics enables political leaders to revise the state's constitution to match political preferences.

The second perspective is national political forces. Albert Sturm states that political movements at the national level and historical forces influence state constitutions (1982). He states, as Elazar suggests, that while understanding political culture is important, it is not the defining factor on constitutional development. Sturm gives examples of the expansion of the West in the 1800s by pioneers, a concern for political reform at the federal level in the early 20th century, and political revolutions as catalysts for revising current constitutions.

The final perspective that Tarr discusses is "ordinary politics." Constitutional development constitutes a continuation of current political attitudes but within a new arena of the

usual politics of a state (1998). Since the process of constitutional revision is political, the change can only occur if it reflects the current allocation of political factors in the state. In this perspective, states are more likely to be involved in constitutional development if there is agreement among citizens, legislators, and government.

States can amend or revise their constitutions through five methods: legislative amendments, initiated amendments, constitutional conventions, commission referrals, or judicial action (Tarr 1996). Legislative amendments are one of the most popular of these methods. All states with the exception of Delaware use this process to put amendments before citizens for a vote. The process ends differently per state but typically voters see amendments on the ballot after several iterations through the state legislature. With initiated amendments, eighteen states allow voters to revise or amend the constitution through initiating proposed amendments on the ballot without first going through the legislature. This process is not common among the states (Tarr 1998).

Constitutional conventions are another popular option for altering a state's constitution. Forty-four states have laws that define how conventions are initiated whether through a ballot vote, an inquiry from the state legislature to voters, or by state legislation calling the convention without asking voters. While this was a typical means by which to change a constitution previously, it is not the only means by which to reform a state constitution. States that have convened constitutional conventions in the last forty years are Arkansas, Hawaii, Louisiana, Montana, New Hampshire, North Dakota, Rhode Island, Tennessee, and Texas. As John Dinan says, even though a state may assemble a constitutional convention, it may not be interested in creating significant reform (2006, 10).

Commission recommendations refer to a state constitutional commission's recommendations for changing a constitution. As discussed below, Florida is an example of a state that has a current commission who reviews the document every twenty years and makes recommendations. A final means to alter a state constitution is through judicial action which simply means that a court ruling at the state or federal level will amend the governing document.

Tarr says of constitutional reform, "Any alteration of a state constitution, no matter how technical or minor, qualifies as constitutional change. In contrast, constitutional reform involves a more fundamental reconsideration of constitutional foundations" (2006, 2). Given this, states may engage in significant revisions by changing substantial portions or language, or modest revisions by adding amendments. However, an excessive number of amendments, as seen in the Alabama Constitution, can become problematic.

Four states have made significant steps toward constitutional revision during the last forty years: Florida, California, Virginia, and Georgia. In 1978 and 1998, Florida revised its constitution. The process was approved to revise the current document in 1978 and twenty years later the legislature would review the constitution in terms of the effectiveness of the previous changes and the need for additional improvements to the constitution. The document could be revised every twenty years from that point forward.

In 1978, Florida's constitution was revised significantly based on an omnibus proposal to include a declaration of rights, the creation of single member districts and a reapportionment commission, executive/cabinet restructuring, changes to the executive branch including a public service commission and Public Counsel, changes to the judiciary including a merit selection of trial court judges, finance and taxation revision, and revisions to the current education system. In 1998, after assessing the initial changes, the legislature moved for additional alterations in the

state's conservation and petitioned the creation of the Fish and Wildlife Conservation Commission. In addition, the state made revisions to public education, judicial selection and funding of state courts, restructuring of the state cabinet, basic rights (specifically gender equality), local and municipal tax exemptions, citizen access to local officials, ballot access, public campaign financing and election process revisions, firearms purchases which included the local option for criminal history records checks and waiting periods, and additional miscellaneous matters and technical revisions to the documents (Tarr 2006, 50).

In 1970, Virginia revised its constitution to include finance capital improvements, the addition of a discrimination clause to the Bill of Rights, the reduction of residency requirements for voting, a change in the apportionment of seats in Congress, and the addition of a conservation article. From 1993 to 1996, California revised its constitution based on state governance to include more citizen participation in the decisions of the legislature (Tarr 2006). Georgia significantly revised its constitution in the 1980s giving specific attention to restructuring state governance. Iterations to the constitution were numerous as well as the number of years required to create the final version. Other attempts in Georgia had failed, but by 1983 the state was in a more progressive mode and moved toward revision with the aid of public support (Tarr 2006).

In each state, the revision was a lengthy process filled with numerous drafts and input from both political leaders and citizens. Typically public opinion and political culture influenced the legislature to create the proposed changes. The items listed above were approved through the revision process. The result was a constitution that reflected citizen political opinions and a political culture that encompassed a desire to improve the state. Political institutions that were involved in the process were the state legislature, interest groups in support of these items (i.e.

conservation groups), election boards, and other organized groups within the arenas affected by the changes to the constitutions.

History of the Alabama Constitution

The 1901 constitution of the State of Alabama is the sixth and current constitution for the state since it became a member of the Union in 1819. The constitution is twelve times longer than an average state constitution and contains more than 800 amendments. The current state tax structure is based on laws set forth in the 1901 constitution.

According to some accounts, the Alabama Constitution was created to guarantee suffrage for white men (Taylor 1949). However, many poor whites were disfranchised as a result. While white male suffrage was the motivation for the creation of the 1901 constitution the values of those who participated in the Constitutional Convention of 1901 were primarily racism and sexism (McMillan 1978). Emmet O'Neal, former Alabama governor and member of the 1901 constitutional Convention, said, "The paramount purpose of the constitutional convention is to lay deep and strong and permanent in the fundamental law of the State the foundation of white supremacy forever in Alabama" (Alabama Legislative Information System Online/1901 Constitution).

There are numerous examples of the effects of the 1901 Constitutional Convention on the citizens of Alabama. For example, the education system created in the Black Belt region had a limited amount of school resources and funding for teacher salaries (Bond 1932). School districts that served white students had significantly more resources in these areas. In 1890, Solomon Palmer, Superintendent of the Black Belt school system, provided the following justification for the discrepancy in funding: "Negroes in the Black Belt received a large portion

of the tax funds while paying no taxes and that the Negroes actually needed less money for education than the whites because of their lack of mental advancement” (Sisk, 1953, 128).

While discrepancies in education may have been subtle tactics to remove the black population’s vote, the poll tax was a direct way of excluding votes for those who were of lesser socioeconomic status. The poll tax, originally created in the North as a user fee, was used in many Southern states during the late Nineteenth-Century and required the voter to pay a tax prior to receiving voting access. The tax was usually an annual amount and could be the equivalent to a week’s worth of food for a family (Lehe 2007). Many members of the Constitutional Convention of 1901 called for an education requirement for voting that many other states, even outside the South, were using to restrict black voters (Williams 1952).

In 1900, 181,315 black and white citizens were eligible to register to vote. In 1903, only 2,980 were registered. In 1900, 79,311 black voters were registered in the fourteen Black Belt counties. In 1903, this number dropped to 1,081. In 1900, a statewide total of 232,821 whites were eligible to register to vote. By 1903, 191,492 eligible whites were registered to vote. In 1941-42, 600,000 whites and 520,000 blacks were disfranchised (McMillan, 1950, 352-356).

While the history of the 1901 constitution is unfavorable to many Alabamians, the reasons for the constitution’s sustainment over the last 114 years continue to the present day. Interest groups have become a significant part of political life at the state and local levels. Although not all interest groups today are voluntary, they form to mobilize around a particular issue to influence change.

Interest Groups

Jack L. Walker states that interest groups feel the need to be as close as possible to the daily political life of the federal government (1991,1). For the purpose of this research the concepts for interest groups at the federal level will instead be used at the state level. Many gaps exist in the world of interest groups. For example, those interest groups who support students with special needs and the mentally ill may be poorly organized and funded. Walker further states that political parties typically become agents of mobilization over interest groups. In other words, parties are able to organize efforts on matters that require public support in order to make a change.

Interest groups, while large in number, typically represent the middle class and the educated population (Walker, 1999, 21-22). Public groups, such as the ones previously cited by Walker, are typically difficult to support. We typically see interest groups through a pluralist system in which interests are open to participation but at incremental levels. There has been a significant increase in the number of interest groups from the 1950s to the present. In 1999, Kevin Hula noted, “The number of national associations has grown from approximately five thousand in 1955 to over twenty-three thousand at the end of the twentieth century” (3). There are several reasons for the increased numbers of interest groups.

Beginning in the 1960s, interest groups served as a response to changing government programs such as the Great Society. Also, interest groups were created from the development of new political movements. For example, young people began to mobilize over political issues in the 1960s, but as they grew older and became professionals they used their former protesting

tactics to form interest groups (Walker, 1999, 100). Interest groups also came in response to the beginning of divisions in American occupations, income levels, and demographics.

Additionally, interest groups were created as a response to political decentralization related to the size of bureaucracy. Identified weaknesses of the political parties caused interest groups to work against the parties instead of through them. Sponsorship of organizations by the national government can also create interest groups. Finally, the growth of the middle class in the 1950s created a class shift that in turn expedited the growth of interest groups (Walker, 1999, 126).

Interest groups usually have more influence at the state level than at the national level. This may be the result of several factors including easier access to gain influence and/or the amount of money the interest group is being provided. Jason and Susan Yackee raise this question by asking if business interests dominate bureaucratic policymaking at the expense of the broader public (Yackee and Yackee 2006). They also point out that interest groups represent a tension between liberty and equity.

Although there has been little change in Alabama's Constitution, citizen awareness and citizen organization have created groups that advocate for constitutional reform. Alabama Citizens for Constitutional Reform began as a grassroots movement in Tuscaloosa in 2000. The group educates the public on the main issues they view as problematic with the current constitution. In addition to previously stated issues with the constitution (e.g. lack of home rule, tax fairness), they also focus on an economic development perspective as state and local governments are prohibited from participating in internal improvements.

There are a number of Alabamians who oppose constitutional reform including the Alabama Eagle Forum, ALFA Insurance, Alliance for Citizens Rights, Business Council of

Alabama, and Christian Action Alabama or the Christian Coalition (Lehe 2007). “In 1972 several dozen lobbyists operated in Montgomery. By 2001 there were 550, nearly four for every lawmaker” (Flynt 2002, 45). One of the more notable groups who formed from the interests of the people was the Populist Party.

This group could be considered a social movement as it mobilized individuals who were concerned with the interests of the common people and not those of big-business of the time. There have been other periods in the 20th Century in Alabama that created a social movement toward change but did not capitalize on it. The examples include social movements as well as individuals who focused on social change through reforming the 1901 constitution.

The Populist Movement

The Nineteenth-Century Populist Movement was a grassroots movement [for more than twenty years in the South] pushing for anti-elite political policies. The movement was originally referred to as the “People’s Party.” Farmers had become increasingly frustrated with Democratic Party ideals by the end of the 1800s and were more concerned with rising freight prices and decreasing crop values. Populists were focused on agrarianism but were able to influence sharecroppers, tenant farmers, and other organized labor, such as coal miners, to support their mission (McMillan 1978).

Although the movement failed, it ultimately impacted the 1896 presidential race. The Populists added a candidate nomination and ultimately closed the gap on what may have been a one sided race (McMillan 1978). Ideals of populism continued after the formal movement ended through sectors of the Republican Party and the Socialist movement (during World War II).

Following this movement three key individuals and a significant revision of the 1901 constitution paved the way for new grassroots efforts to gain traction within the state. As Governor of Alabama in the 1950s, James “Big Jim” Folsom challenged the Constitutional Convention of 1901 and requested changes to the constitution of the state legislature. He worked on reapportionment and called the state legislature into special session several times, unsuccessfully urging them to write a new constitution (Thomson 2002).

In 1969, Governor Albert Brewer adopted the Commission on Constitutional Revision. The Commission presented its report and drafted a new constitution in 1973, but because Brewer was out of office at this point the effort was unsuccessful. Brewer is one of the founding members of the ACCR, a professor emeritus at Cumberland School of Law, and is active in promoting constitutional reform (McMillan 1978).

Howell Heflin served as Chief Justice of the Alabama Supreme Court from 1971 to 1977. He was recognized nationally for his successful support of the Judicial Article of 1973, the first and only significant change to the current Alabama Constitution. The article modernized and streamlined the Alabama judicial system and created the Unified Judicial System. These periods during the 20th Century in Alabama created social movements toward constitutional change but did not capitalize on it. The reason for the lack of change could be the result of political culture rather than the effect of a social movement.

American Political Culture

Daniel Elazar defines political culture as a framework for “individual and group political behavior-in terms of the political thoughts, attitudes, assumptions, and values of individuals and groups and in the range of permissible or acceptable actions that flows from them” (1994, 3).

Elazar further discusses that all humans are in a location determined by three dimensions-- spatial, temporal, and cultural (1994, 1). Through an understanding of these dimensions, a person understands why he/she interprets a political issue in a certain way. What is understood by an American may not be the same explanation that a European may have of the same issue even if the two individuals are the same age and race. In addition, Caucasian-Americans will view political issues differently than African-Americans even though they may live in the same region of the country and be the same age (Elazar 1994).

Elazar says that a state's political culture reflects the "persistent patterns of underlying political attitudes and values and characteristic responses to political concerns (1982, 11)." He says that a state's political leaders must comprehend both the political attitudes and concerns in order to understand the state's constitution. Citizens typically associate the way in which their state government should be operated with what they "perceive to be the proper roles of government and politics" (1970, 256).

Elazar and Tarr point to American political culture as a direct reflection of the way in which state constitutions are written. This is due to the way in which the country was expanded after its creation in 1776 in terms of common goals and ideals shared by individuals who reside in the same regions of the country. Those who live in the Northern portions of the country will view political issues differently than those who reside in the Southern regions. The same is true for individuals who live on the East and West coasts and those who live in the Midwest regions.

The reason for differences among U.S. citizens is based on what Elazar refers to as the "geology" of the country. The U.S. is a blend of three political subcultures: individualistic—views government as utilitarian only—, moralistic—those who search for a "good society" and consider politics the most important means in order to achieve this goal—, and traditionalistic—

agrees with moralistic viewpoint that government should maintain a positive role in the community but only a limited role (Elazar, 1994, 230-237). Given these three political subcultures, each region of the U.S. falls into one with some states falling into one or two subcultures (Elazar, 1994, 239). Individualistic states are typically in the Midwest and West, moralistic states are found mostly in the Northeastern region, and traditionalist states are located primarily in the Southeastern regions. However, within a state, areas may cross over subcultures as is the case with Kentucky whose northwestern region is both individualistic and traditionalistic. In Colorado, the eastern region is individualistic as well as moralistic (Elazar 1994, 242-243).

The political culture within the U.S. can also be termed a “melting pot” because of the number of different cultures and ethnicities residing within its borders. Individuals in regions usually view political issues from similar viewpoints because of similarities in race, ethnicity, religion, language, and life experiences (Elazar, 1994, 9). These common factors affect an individual’s political attitudes which in turn affect actions, institutions, and policies (Elazar 1994, 9).

Political Culture in Alabama

Political behaviors that contributed to the creation of the 1901 Constitutional Convention and ultimately the creation of the constitution included the Democratic political party, the rise of the Populist Party, public opinion of Alabamians, and political participation in terms of the citizen vote. The main agenda item of the new constitution was to disfranchise the black population of the state (Taylor 1949). However, creating a new tax structure would appease those who wanted lower taxes and a stronger currency (i.e. less inflated).

The Democratic Party became a strong presence in Alabama in 1874 when they regained control of the state government (Flynt 2004). Contrary to the ideologies of present day Republicans and Democrats, Democrats in 1874 wanted to restrict loaning money or extending credit for internal improvements to the state government, cap state and local property taxes, segregate schools, and remove the state board of education. Republicans, on the other hand, moved to triple property taxes and to promote the Reconstruction Period after the Civil War (Flynt 2004).

As the Civil War ended, Republicans placed the tax burden on farmers. “With slavery ended and luxuries greatly reduced, they shifted the primary burden of taxation from affluent planters to struggling yeomen farmers” (Flynt 2004, 4-5). Already bitter because of the outcome of the Civil War, white farmers revolted through unconventional methods of securing elections which ultimately led to Democrats taking control. During Reconstruction, taxes declined as well as revenue to support education within the state. Farmers in the state were typically tenant farmers who did not own the land they worked and were more concerned with the constant decline in the state’s economy. “Only about 10 percent of Alabama white farmers had been bereft of both personal property and land when the Civil War began; by 1880 nearly half of all farmers were landless tenants” (Flynt 2004, 6). Therefore the Democratic Party’s focus on disfranchising the black vote was of little concern to them.

The Populist Party, the result of the “Farmer’s Revolt,” was created in the late 1800s as a result of poor economic conditions (Flynt 1979). Many farmers and poor whites joined the Populist movement started in Texas in an effort to extract power from the dominant Democratic Party. Many Southern blacks also joined the movement. “Many of the issues that the Populists raised –regulation of trusts, inflated currency, fairer treatment of labor-were class issues and

suggest the division of Southern life among socio-economic lines” (Flynt 1979, 52-53). The Populist Party movement is considered to be one of the strongest grassroots movements in U.S. history and remained active for more than 20 years (Flynt 1979).

At the end of the Nineteenth-Century, Alabamians were becoming increasingly frustrated with the political scene in Montgomery. Extreme corruption including buying votes and other types of voting fraud was not uncommon. However, Populists saw the need to appeal to all Alabamians whether Republican, Democrat, independent, black, or white in order to “enlarge opportunities for ordinary citizens” (Flynt 2004, 6).

The Populist Party met with strong resistance from the Democratic Party because of fear that Populists would raise taxes in order to increase opportunities for citizens. This was particularly apparent in the Black Belt region because although the area was primarily inhabited by black Alabamians, the wealthy planters in the region paid the taxes. Political corruption prevailed as planters used the names of those who were not registered to vote and voted on their behalf. Planters also denied Populist candidates enough votes to hold office even if the candidate truly won the vote. In 1900, the state leaders realized that a constitution that disfranchised the black population would be the only way to stop political corruption and give more credibility to local and state government.

Public opinion across all parties was the instigating force in the creation of the 1901 constitutional Convention. Suffrage was the main platform for senatorial campaigns. Emphasis was placed on disfranchising the black vote, but taxation and improving economic conditions were also factors in creating a new constitution. Even though public opinion was strong in removing corruption from Alabama politics, vote tampering and stealing continued. Political

corruption was due to the fact that the majority (60%) of the votes for a new constitution to disfranchise black voters came from the Black Belt and Wiregrass regions (Flynt, 2004).

During the 1901 Constitutional Convention, the state legislature was falling out of favor with the public. “The evils of local legislation had been a most important factor in lowering the caliber and effectiveness of Alabama’s legislative department, which if judged by public opinion reached a new low by 1901 (McMillan 1978, 334).” The legislative branch of the state government had become too large and unmanageable to work effectively which was crucial because of social and economic changes in 1901. Because of these issues with the legislative branch, the executive branch of government seized more control, and citizen trust in the legislature diminished. With growing dissatisfaction for government, it was easier for lawmakers to create the Constitutional Convention swiftly and to incorporate a cast of similar viewpoints into the delegation.

Public opinion regarding a new constitution was mixed. Arguments against a new constitution were the result of legislators who worried about the effect of changes on poor whites in their districts. “Others bitterly opposed a convention on the ground that the issue would divide the white man’s party, since illiterate whites would be disfranchised along with the Negro by any educational or property qualification (McMillan 1978, 249).” Residents of the Black Belt were in favor of a new constitution, although the legislators who represented the predominantly white counties within the region opposed it.

As the time approached to vote on the constitution, the Democratic State Campaign Committee sent letters prompting those who supported their cause to use their influence with their vote in November. The Democratic Party used the slogan “White Supremacy, Honest Elections and the New Constitution, One and Inseparable” (Jackson 1994, 30). The Democrats

were determined to remove Republicans from office and labeled them “scalawags” and “carpetbaggers” in a bold smear campaign in an effort to sway public opinion.

The two groups who dominated the delegation were planters, or large landowners particularly in the Black Belt, and what was commonly referred to as “Big Mules,” or bankers, railroad executives, and other industry executives. The first goal in creating a new constitution was the exclusion of the black vote, but the second was to protect the economic interests of these groups for years to come. While most U.S. states use revenue from property taxes to support education, the 1901 constitution would create a low property tax structure as a law. Because of this legislation, the tax structure for income and property taxes can only be changed through a tedious legislative process. This ensures that large land owners will pay the minimum amount of property tax each year while the sales tax in many counties has exceeded ten percent (Petty, 2005).

Efforts to reform the constitution have been a continual process since 1915 when Governor Emmet O’Neal said, “Many of the provisions of our present antiquated fundamental law constitute insuperable barriers to most of the important reforms necessary to meet modern conditions” (Van Rensselaer, 2005). Following O’Neal, other Governors such as Thomas Kilby in 1923, “Big Jim” Folsom (1950s), Albert Brewer (1973), Fob James (1979), and Lt. Governor Bill Baxley (1983) have attempted to rewrite the constitution with little success. Although they have gained the support of the public and the state legislature in these attempts at reform, the problem lies with the intentional complexity of changing the constitution.

Public opinion by Alabamians to change the constitution has also become apparent in recent years. Data provided by the Capital Survey Research Center in Montgomery indicate that

there is considerable interest by Alabama citizens for constitutional reform. Interest by citizens for a constitutional convention is also apparent.

Organizations who oppose reform have used interest groups in Montgomery to ensure that the constitution is not changed. ALFA Insurance Group holds a vested interest in protecting the farmers of the state, timber industries, and other large landowners in the Black Belt and Wiregrass regions. This vested interest is based on ensuring that taxes are not raised for these groups. While many organizations continue to fight against change, the ACCR continues to spread a message of constitutional reform. However, the ACCR, although supported by many in academia and those with strong political ties, has not been able to capitalize on reforming the constitution. A lack of capitalizing on reform efforts may be the result of the strong hand interest groups hold in Alabama today, timing, and the political climate in Alabama. One portion of the constitution that was changed over forty years ago was the Judicial Article. While there have been minor revisions to the 1901 constitution, the Judicial Article of 1973 is the only significant revision of the document to date.

History of the Judicial Article of 1973

Prior to 1973, Alabama's judicial branch was considered one of the worst state judicial systems in the country. Confusion, overlapping laws, and excessive length in trials were some of the grievances against the court system. Ironically, after the Judicial Article was passed by the legislature, Alabama's Unified Court system became a model for states in the U.S. (Schaefer, 2002)

The Alabama judicial system was defined during the creation of the original constitution in 1819. Between 1819 and 1875, several revisions were made to the structure of the system

including electing versus appointing judges, the creation of circuit courts, addition of justices of the peace, and courts of chancery (Encyclopedia of Alabama: State Courts of Alabama). By the time the 1901 constitution was written, there were more than four hundred trial courts in Alabama's sixty-seven counties. The 1901 constitution concentrated power within the state legislature which contributed to the dysfunction of the judicial system as it restricted the power of local governments and the court system.

Citizens sustained the worst effects of such a dysfunctional court system as trials were delayed for years in some cases and attorneys were ill equipped to represent their clients because of confusing guidelines and different rules for each trial court. Governor Emmet O'Neal first addressed the problems with the court system in 1915. He stated, "In Alabama our whole judicial system has grown up without harmony, unity of scientific arrangement, each legislature creating different courts, until the whole system has become a patchwork which now demands revision and reform (Hayman and Hayman 2001, 154-155). It would take fifty-one years before significant progress toward reform would be realized.

In 1966, Howell Heflin was the charismatic president of the Alabama State Bar Association. Heflin initiated a grassroots movement to reform the Alabama Judicial System by organizing the Citizen's Conference on the Alabama Courts (Schaefer, 2002). The committee was comprised of a diverse group of citizens with a vested interest in seeing a reformed judicial system. Of their recommendations for improvement of the system, the following five were critical to reform: "a uniform statewide system of limited jurisdiction trial courts; abolition of the office of the justice of the peace; an independent judicial commission for the discipline and removal of judges; creation of the Administrative Office of Courts; merit selection of judges (Cole 1999, 188).

The reform movement gained further ground when Lieutenant Governor Albert Brewer became governor after the death of Lurleen Wallace in 1968. He appointed Howell Heflin Chief Justice of the Alabama Supreme Court giving him more prominent influence over the reform process. Brewer had appointed a Constitutional Commission and, together with Heflin's committee, worked to propose a new Judicial System for legislative approval.

By the time the proposed bill reached the Alabama Legislature in 1971, George Wallace had been reelected governor, defeating Albert Brewer. Wallace opposed the bill because he did not desire to relieve Montgomery of any of the power it had been granted in the 1901 constitution. In an almost comical turn of events that ultimately involved a congressman physically holding the bill as the vote was taken in the Senate, Amendment 328 was ratified in December 1973 (Schaefer, 2002).

Amendment 328 created a unified judicial system in Alabama and one of the first of its kind in the U.S. This requires that each of the more than 400 courts in Alabama must follow the same guidelines and procedures which allow attorneys and citizens to understand how the system functions and how they should operate within it. In addition to a cohesive set of rules for the courts, Amendment 328 established term limits on judges, required all judges to be attorneys, and created the Administrative Office of Courts which oversees logistical operations of the courts (Encyclopedia of Alabama: State Courts of Alabama). The Judicial Inquiry Commission and Court of the Judiciary enforce ethical standards within the courts while the Judicial Inquiry Commission reviews grievances filed against judges.

The Judicial Article of 1973 illustrates the key to reform within the state: charismatic determination to realize reform. Charles Cole said of the success of the Judicial Article, "Judicial reform requires perseverance" (1999, 188). Robert Schaefer observed, "In the light of Alabama's

successes, it is clear that perseverance is the key for future change” (2002, 150). The Judicial Article also illustrates, by putting forth the Unified Court System as one of the first in the country, that Alabama has proven that it does not always rank at the bottom of every measured category of progress. The Article revision also gives a clear illustration of the policy making process within a state and the critical factors that are required in order to ensure that a policy moves through that process.

Policy Making Process

Writing, revising, or reforming a state constitution is determined through several means. As mentioned previously, those options include legislative amendments, initiated amendments, constitutional conventions, commission referrals, or judicial action. Of these choices, most states initiate change through legislative amendments, constitutional conventions, and judicial action. Each of these actions can be considered a policy process and as a preface to the data collection discussion, it is important to ensure that the policy process is outlined for understanding.

Politics becomes a key component in any policy making process. Politics can cause good policies to be abandoned and bad policies to be implemented. “The initial phases of public policy are directed toward stimulating government to consider a problem. It is difficult, however, to isolate the sub-parts or stages of the agenda-setting process as ‘identifiable, one-time, discrete events (Jones 1984, 3).”

The steps in the policy process include problem identification, policy implementation, and policy evaluation, adjustment, and termination (Clemons and McBeth, 2008). During stage one of the policy identification process an individual or group initiates a policy with a prompting device to create the issue. The second stage involves the battle between issue definition and

symbol utilization. This process usually determines the amount of media the problem will receive. Stage three shows different patterns of access for gaining supporters and momentum.

During the policy implementation process, policies that have been approved through Congress or other governing bodies capable of making policy decisions are carried out. Oftentimes, there is a discrepancy between the intentions of a policy and how it is executed. In policy evaluation, the outcomes of the implemented policy are measured to determine how effective the policy is in terms of the intended outcome. The framework of public policy is always in question because of changes in budgetary needs, intended outcomes of the policies, and better practices in evaluation.

The implementation phase may be considered a study in how change occurs and how it may be induced (Parsons, 1995). David Easton's Black Box consists of inputs, outputs, processes, feedback and is one model used to analyze policy (1990). This model assumes much about the processes which took place within the system and within the output and feedback activities. Other models used to assess policy are the top-down rational system and bottom-up model. The top-down model works to break down a system to evaluate its sub-systems. This model would begin at the top to review the outputs and then determine the most effective policy outcomes (i.e. the problem was not present when the policy was approved but somewhere in the process of implementation it has broken down to an ineffective status). The rational model places too much emphasis on the definition of goals by the top rather than on the role of the workers who are implementing the policy.

The bottom-up model is one which sees the process as involving negotiation and consensus-building. The individual elements are as important as those at the top. The model also gives discretion to those who implement the plan so policies may not be implemented as

originally intended. The key to all policy formation is power and politics. In the policy-action continuum model, power serves as the central dynamic force in the relationship between policy and reformulation. The policy-action model is also supportive of the idea in “garbage-can theory” that organizations do not have goals in the rational sense, but define them in the process of attaching problems to solutions (Parsons, 1995).

Specifically with this research question, Kingdon’s policy streams model is most applicable to illustrate the importance of a policy window creating an opening in the policy-making process. The “policy window” is a concept formed in the public policy literature (Kingdon, 1995). During the policy-making process, a policy window is created and is an opening which allows a policy to be passed. When a set of issues join each other, the policy window occurs and allows those in the policy process the ability to take action on a particular policy. In Kingdon’s policy theory, policy formulation operates in three streams: problem stream, policy stream, and the political stream. Each of the streams is both difficult and intricate to navigate for those involved.

The “problem stream” brings a particular problem to the surface for policy makers to identify. The “policy stream” creates policy alternatives which are used by policy makers to develop solutions to the issue. The “political stream” is used to gain support by key stake holders (both community leaders and public officials) to organize and gain support for the policy alternatives. Within each of the streams, Kingdon refers to “policy entrepreneurs,” or those who work to bring the streams together. A policy entrepreneur may be motivated by a variety of reasons, including both political and personal.

Kingdon’s approach to the policy making process is especially relevant with Alabama’s issues with constitutional change. Although the problem stream has been brought to the surface

by a variety of individuals and organizations, the policy and political streams have not been truly realized. Although constitutional reform is a prevalent topic within the state, the amount of research available to determine a cause for the lack of reform is lacking. The lack of reform largely remains an opinion based topic rather than an evidence based issue supporting citizen's opinions of the issue and an analysis of state legislative activity.

The Need for Constitutional Reform in Alabama

There is no question that constitutional reform in Alabama has been a topic of discussion for almost as many years as the 1901 constitution has been the governing document of the state. Countless articles have been written in *The Huntsville Times*, *The Birmingham News*, *The Montgomery Advertiser*, and *The Mobile Register* expressing the importance of initiating a complete revision of the constitution. An excellent collection of essays on the need for Alabama constitutional reform can be found in *A Century of Controversy: Constitutional Reform in Alabama*. Contributions to this manuscript are collected from renowned professors with analyses of what should change within the state in order to develop reform. Prominent attorneys, such as Susan Pace Hamill, have written scholarly articles on the importance of reforming the constitution because of the regressive tax structure.

The importance of these articles and essays is essential to understanding the issue as a whole; however they are all opinion articles based on evidence that Alabamians see each day (e.g. poverty, inferior school systems, crime rates, political corruption). While there is documented evidence to support the arguments, there has been little research to determine the cause of citizens' unwillingness to demand change. In addition, there is an abundance of opinion poll data collected by the Capital Research Group in Montgomery, but this consists only of raw-

data responses to questions such as “would you support a constitutional convention in Alabama” or “do you see a need for a new constitution.” There is no concrete evidence to support the reason for public opinion concerning resistance to constitutional reform.

The most significant research into the political culture of Alabama can be found through the writings of Dr. Wayne Flynt who has written numerous articles and manuscripts on Alabama’s poor. In *Poor but Proud: Alabama’s Poor Whites*, Flynt discusses the humble beginnings of many Alabamians and the extreme poverty they endured. According to Flynt, it is through this extreme and generational poverty that many Alabamians developed a deep-seated conservatism that affects their daily decisions.

Severe poverty has affected the state since its creation in December 1819. Flynt’s accounts of long working hours in farmers’ fields, coal mines, and textile factories illustrates the difficult lives workers endured from the mid-1800s forward. In surviving these difficult circumstances, Alabamians wanted to maintain their current lifestyle, even if it was not idyllic, because change in the past typically meant more poverty and turmoil. While this strong belief in conservatism became prominent during the Great Depression, it still holds true today.

The opinions of Alabamians on the issue of reform have not been fully explored in order to determine the root cause of resistance. In addition, while there is sufficient documentation of the proceedings for the Judicial Article of 1973, there has not been research conducted to determine a correlation between public opinion in 1973 and the creation of the Article. What was the critical juncture that made a change to the document possible? Why has no other significant revision been made almost fifty years later? Are Alabama’s power elites and interest groups truly the underlying forces that skew public opinion in favor of keeping the status quo? Is the political culture designed to maintain the status quo from years of hardship and neglect?

The purpose of this research is to pull together the components of this issue and to determine the reasons for lack of interest in reform. Specifically, the research will seek to make a connection between the Judicial Article and why conditions for reform were favorable in the state at that time but not at any other time since 1901. The key to the issue of constitutional reform in Alabama is an understanding of the state's political culture.

CHAPTER III
METHODOLOGY AND APPROACH

Background and Significance

Constitutions are the frameworks that state governments use to initiate and move items through the policy process. When thinking about the process to make changes to the document, reform aligns with a means to change the way that the state can affect the policy making process. Tarr notes, “Constitutional reform involves a more fundamental reconsideration of constitutional foundations. It introduces changes of considerable breadth and impact, changes that substantially affect the operation of state government or the public policy of the state (2006, 2). He states further that “frequent change is not the same as fundamental change” (Tarr, 2006, 3).

Returning to Tarr’s three reasons to change a constitution, it is important to create a theoretical framework for why Alabama falls into each of the three. First, in accordance with the thought that constitutions should reflect a progressive way of thinking, Alabama appears interested in the continuation of the constitution because of a belief in “wisdom of the past” (Tarr, 2006, 5). But constitutions need adjustment to adapt to changes in state circumstances and political thought. This is not happening in Alabama.

To Tarr’s second point that constitutions lend themselves to frequent revision because of the level of details included in them, Alabama has continued to provide amendments to solve problems within the state. Amendments solve specific problems but do not address the underlying issue of comprehensive reform. As Tarr points out, “In many states the proliferation of piecemeal amendments, adopted at various times by majorities with different political agendas, has destroyed the coherence of state constitutions as plans of government” (2006, 6). The level of detail in Alabama’s Constitution is overwhelming. Given this, is it a matter of intent

in not making a change because of a belief in the past, pressure from current interests, or a matter of not knowing quite where to start in a process that would be a tedious undertaking?

Tarr's final opinion suggests that reform efforts unify citizens. This theory is related to direct democracy. Citizens become dissatisfied with the approach (or lack of) government is taking to address a problem and, in turn, organize themselves to address it. Tarr says of this process, "The dissatisfaction is indirectly reflected in the increasing resort to direct democracy for policy making in the states, which indicates a perception that state institutions are not appropriately responsive to citizen concerns" (2006, 7). An example of this in Alabama would be the organization of the grassroots movement around reforming the 1901 constitution and the formation of the ACCR to give citizens an outlet to seek change.

The political process that Alabama uses to change the constitution does not reflect representative democracy. This is especially true in that public opinion survey results that indicate a desire for change are not translated into action from the legislature. This could be for a variety of reasons including interest group activity and legislators seeking to maintain the status quo. Tarr says of this alternative, "State legislators benefit from the political status quo and therefore are usually reluctant to introduce amendments promoting fundamental reform, as such amendments could jeopardize their position" (2006, 3). It is important to understand where the breakdown lies and may be an outcome of this study.

The significance of this research is twofold. First, considerable data have been collected regarding Alabamians' opinions on the need for reform of the 1901 constitution. These data capture citizen opinions as they relate to taxation, removing racist language from the document, increasing home rule, etc. These data capture only citizen responses to yes and no questions but there has been no analysis of why citizens may provide their particular responses.

This research will attempt to understand the political culture of Alabama and the degree to which cultural and socio-economic factors contribute to the way that citizens approach state-level political issues. In addition, there is much literature on the political culture of Alabama. Additionally, there are numerous opinion columns from each major newspaper within the state reacting to what the editors deem as travesties due to the 1901 constitution. This research will attempt to make a distinction between perceptions and true values and ideals of citizens which cause them to vote and react to political issues in a particular way.

The second significant aspect of the research is to extract new information from transcripts of the Judicial Article of 1973 which will explain critical junctures in the political attitudes of the time, and determine how significant reform was created in the face of the usual fierce resistance to change. Strategies used in 1973 to overcome resistance with the Article revision could be useful to current grassroots movements seeking constitutional change.

Flynt, Thomson, and Brewer suggest that reluctance to change the constitution comes from a lack of understanding from citizens and a shortage of involvement on the part of the legislature to delve into such a lengthy process when other matters, such as current economic conditions and job creation, take priority. While principles of democracy are important to remove racist language from the document, many political leaders have contended that since federal laws supersede many parts of Alabama's Constitution it is unnecessary to use the legislature's time to remove this language. As Flynt points out, this type of language gives the impression that Alabama's political culture condones racism and more specifically continues to view one group as inferior in order to promote the wealthy citizens of the state (2001).

Quite simply, other states have chosen to make revisions to their constitutions by means that are politically progressive while Alabama continues to operate with regressive tendencies.

Other states use the power of public opinion, interest group activity, and political culture to move toward creating sustainable constitutions that are congruent with the current population's political preferences. On the other hand, Alabama's interest groups and some politicians have used the threat of raising taxes and changing the tax structure as scare tactics to keep the population distracted from current issues. Many citizens do not know what home rule is nor do they know that ninety percent of the budget is earmarked which leaves little flexibility in improving the state. Confusion on these issues makes agenda setting in the legislature and with lobbyist groups an easy task.

The requests of citizens are being realized through grassroots movements and survey research, but this has only been the case within recent years. Other states have recognized citizen demands because there have been more organized methods in which citizens could voice their concerns such as public forums, town hall meetings, etc. If these have been evident in Alabama, it has been on such a small scale that there was no impact on the legislature.

Research Design

The research design will consist of a comparative case study, process tracing, a logistic regression model, and content analysis. The purposes of this research will be to create generalizations as to why constitutional reform continues to fail in Alabama despite significant progress in one area such as the Judicial Article, and how the state may create a window of opportunity to introduce a future revision.

The first phase of the research design was the secondary analysis of public opinion data on constitutional reform collected by various Alabama polling agencies. This analysis includes a comparison of the compiled data from 2000 to 2010 to identify possible trends and patterns. A

quantitative analysis of the raw data follows to find trends in the demographic data of the respondents that leads to responses on constitutional reform questions. The second phase of the research design is a review of constitutional reform bills introduced in committee(s) and subsequent roll call votes and activity from the Alabama Legislature to determine when policy change on this issue has been introduced.

The last phase of the research design is the comparative case study of Alabama to the states of Georgia and South Carolina as well as a review of the Alabama Judicial Article of 1973. Georgia revised its constitution in 1983, making it one of the newest constitution in the United States. This research seeks to determine differences in the democratic framework between Georgia and other Deep South states. Similar to Alabama, South Carolina uses an outdated constitution (1895) with numerous amendments. This portion of the research looks for consistencies in why states may avoid revising and ultimately reform their constitutions. The final case study reviews documents pertaining to the Alabama Judicial Article rewrite of 1973. Because this is the only significant change in the current Alabama Constitution, the research seeks to determine what was different about the political culture in 1973 as opposed to 2013.

Case studies can provide an in-depth examination of an event and therefore have a considerable amount of generalizability. The primary strength of a case study is multiple points of data which allow for triangulation to increase both validity and reliability. A single, critical case study will be most useful for this type of research.

Robert Yin states that there are five acceptable research strategies in social science including experiment, survey, archival analysis, history, and case study (Yin, 2009). Yin states that case studies allow the researcher to use empirical inquiry, contemporary phenomena, operate in a real-life context, and create situations where there are blurred boundaries (Yin, 2009). Yin

states, “The case study is preferred in examining contemporary events, but when the relevant behaviors cannot be manipulated. The case study relies on many of the same techniques as a history, but it adds two sources of evidence not usually included in the historian’s repertoire: direct observations of the events being studied and interviews of the persons involved in the events” (Yin, 2009, 11). Denzin and Lincoln (2000) state that cases are situational and influenced by many factors.

Yin further recommends the case study as the most appropriate method to examine complex social phenomena. Yin (2009) mentions that a primary strength of a case study is the use of multiple points of data (i.e. interviews, surveys, archival data, direct observation, participant observation). He also states that investigating many more variables of interest than data points relies on multiple sources of evidence. “In other words, you would use the case study method because you wanted to understand a real-life phenomenon in depth, but such understanding encompassed important contextual conditions-because they were highly pertinent to your phenomenon of study” (Yin, 2009, 18).

Case studies are typically thought of as subjective, but Eisenhardt and Graebner argue that they are objective because the researcher pays careful attention to the data. They state, “The data provide the discipline that mathematics does in formal analytic modeling” (Eisenhardt and Graebner 2007, 25).

Another reason for using a case study is that it is a bridge from qualitative evidence to deductive research. In reviewing a case study, inductive and deductive theories become interdependent. Inductive theory allows the researcher to build on principles or to create new theories based on the case study. Deductive theory allows the researcher to test those theories.

Content analysis is the use of archival, written, or oral records. This is most useful when opinions or records of incidences are needed and therefore will be important to this research. The data have already been collected and therefore constitute a secondary data source.

Process tracing is the collection of as many data sources as possible in the attempt to extract reasons for those processes. This helps to answer questions such as what happened, why did it happen, and when did it happen. These types of questions will reveal the history of constitutional reform efforts in Alabama and why process tracing is an important tool for the research.

The unit of observation will include individual and group level analysis. Units of observation will be citizens of Alabama, Alabama legislators, and grassroots groups such as Alabama Citizens for Constitutional Reform who have promoted previous reforms. The units of analysis will include the Judicial Article of 1973, grassroots movements, political culture in Alabama, and political interest groups in Alabama.

The dependent variable is the failure of constitutional reform efforts in Alabama. The definition of “failure” for this purpose is to gain influence in the state legislature to call for a Constitutional Convention to rewrite the 1901 constitution, and “influence” is defined as persuading citizens to lobby their representatives in the state legislature for a new constitution. The independent variables are the political culture, socio-economic factors, and political issues/context. Operationalization of these variables includes public opinion, political opportunity, legislative power and opinion.

The exploratory study and quantitative analysis portion of the research uses a logistic regression model to analyze portions of the raw data used in the compiled data mentioned above.

The research questions used to guide this single analysis are:

- What are the demographic characteristics of those individuals who oppose and support constitutional reform?
- What are the political affiliations of those who oppose and support constitutional reform in Alabama?

Demographic characteristics of age group, household income, race/ethnic background, gender, and county of residence in Alabama were chosen as the independent variables. Political affiliations of Democrat, Republican, and Independent were chosen as independent variables in this analysis. The dependent variable consists of those who seek change in the Alabama 1901 Constitution.

Data Collection

Yin identifies documentation, archival records, interviews, direct observations, participant observation, and physical artifacts as common sources of evidence through case study research (2009). The strategy used in collecting data for this research will be collected through secondary analysis of previously compiled survey data, raw survey data, and archival analysis. Each of these methods is an important part of the case study research design.

The first phase of this research study involves a secondary analysis of data from public opinion polls collected throughout the majority of counties within Alabama. Secondary analysis is the best method for this aspect of research because it is an approach to studying both past and present. Herbert Hyman said that secondary analysis of survey data is the most versatile way to understand the past, present, and change. He also stated that secondary analysis is useful in studying phenomena comparatively and in replicating and potentially expanding a previous study of a particular phenomenon (1972).

The use of pattern matching to identify similarities in the public opinion data between demographics that could project patterns of socio-economic similarities will be used during this phase. The research design focuses on a cross-sectional design to analyze the data through temporal analysis. Due to the data sets being collected over time, the research design makes use of trend and time series designs to determine levels of change in public opinion and to make generalizations about future changes.

The following state-wide polling agencies were contacted to request copies of public information data they may have collected. Dr. Gerald Johnson from the Capital Research Group in Montgomery, Alabama, assisted in determining the best agencies to contact. Although this list incorporates polling agencies within the state at institutions, non-profit, and government organizations, it is not exhaustive:

Company/Organization	Location
Capital Research Group	Montgomery
Southeast Research, Inc.	Montgomery
AU Ctr for Governmental Services	Auburn University
Southern Media & Opinion Research	Baton Rouge, LA
UA Institute for Social Science Research	University of Alabama
BSC Political Science Dept	Birmingham Southern College
USA Polling Group	University of South Alabama
Public Affairs Research Council of AL	Samford University
Ctr for Leadership and Public Policy	Montgomery
Anzalone Liszt Research	Montgomery
ACCR	Birmingham

A second phase of the research design is a review of constitutional reform bills introduced in committee(s) and subsequent roll call votes and activity from the Alabama

Legislature for the last thirteen years. Access to these proposed bills may be found through the following link: <http://alisondb.legislature.state.al.us/acas>. The last fourteen years are significant because 2000 marked the year that Alabama Citizens for Constitutional Reform was created as the first significant grassroots movement on the issue of reform.

The third phase of data collection took place at the Department of Archives and History in Montgomery and the Clemson University Libraries in Clemson, SC for information pertaining to constitutional reform changes and movements in the states of Alabama, Georgia, and South Carolina. The process for gathering this information is contained in the next chapter. This portion of the research design is a comparative case study among these three Deep Southern states.

The analysis technique used to analyze the data collected from the secondary analysis of previously compiled survey data, raw survey data, and archival analysis relies on theoretical propositions. The researcher looked for recurring and emergent themes and trends. Those themes and trends were derived from the data collected and the researcher reviewed any patterns that recurred throughout the analysis.

Yin says, “The first and most preferred strategy is to follow the theoretical propositions that led to your case study. The original objectives and design of the case study presumably were based on such propositions, which in turn reflected a set of research questions, reviews of the literature, and new hypothesis or proposition” (Yin, 2009, 130). By using propositions, a researcher is able to focus on some data and disregard others based on themes and trends found within what is collected. Yin (2009) also states that theoretical propositions that emerge from the types of questions asked through the case study method (e.g. “how” and “why”) are most useful in this type of analysis.

Through the data collection, the research design seeks to gain the information needed to analyze where Alabama lies in relation to pursuing revision or reform of the current constitution. The goals of the research are to (1) create generalizations of why constitutional reform continues to fail in Alabama even when significant progress is made in one area such as the Judicial Article, (2) how the state may create a window of opportunity to introduce a revision in the future, and (3) why constitutional reform or another revision may not be possible in Alabama.

Weaknesses and Limitations

The data for this study were collected primarily through archival analysis of documents, records, and a secondary analysis of more recently accumulated public opinion survey data collected by third party polling agencies. Limitations in the availability of data created weaknesses in this research.

While every effort was made to ensure that all sources and locations of data were considered, the amount of information on changes in constitutions within the states used in this research study was numerous which presented issues in making certain that all sources were included. To counter this, all efforts were made to collect data from multiple sources on each state's constitutional reform efforts.

Additionally, the secondary analysis portion of this research study, while comprehensive in the timespan of data collected, relied on polling agencies within Alabama to supply data for this study which causes limitations in the analysis. Of the eleven statewide polling agencies contacted, four supplied data and two responded that they did not have any data available under this topic. Five of the agencies did not respond after numerous telephone and email inquiries. A possible cause of this limitation may be the researcher's reluctance to share these files as their

own reputations are based on the work published from controlled groups of data (Kiecolt and Nathan, 1985).

A final limitation of this study is that the questions asked to respondents in the original data are broader in nature than the targeted questions needed for this research. For example, the Capital Survey Research Center's objective of the surveys was to find out issues within the state that respondents ranked in order of importance. Constitutional reform was one of many choices for the respondents. In other words, the goal of the survey was to define the overall climate within the state at the time of the survey and not to determine the need for changes in the constitution.

In addition, several of the demographics used in the logistic regression model were used in some of the years when data were collected and not in others. Given this, demographics such as age, church attendance, military service, and household income were not present in each of the poll data projects. A final limitation of the research occurs with randomization of the subjects selected for the surveys. Because this was a statewide random digit dialing survey conducted one or two times annually for ten years, some of the respondents may have been contacted duplicate times. The logistic regression model was used as an exploratory study to observe trends and analyze data that had been collected over time. The analysis was created specifically to determine if demographic characteristics affected the answers of respondents. Because of this, no hypotheses were used given the nature of an exploratory study.

CHAPTER IV

CASE STUDIES OF CONSTITUTIONAL REFORM

To understand why Alabama may not be compelled to change the 1901 constitution, it may be helpful to understand why similar Southeastern states follow a comparable pattern of maintaining an outdated constitution or may change an outdated constitution. To determine the states to use for this comparison, The Council of State Governments General Information on State Governments was accessed (www.csg.org). The criteria used to determine the comparison states were Deep-South states, proximity to Alabama, and similar demographic patterns. Given these criteria, Georgia and South Carolina met the conditions and were on opposite ends of constitutional reform.

South Carolina continues to use an outdated constitution, and Georgia is one of two Deep-South states to have revised its constitution in recent years (Louisiana is the second state). See Appendix 1 (A.1) for a comparison of state constitution parameters from The Council of State Governments. An analysis of the similarities and differences in these states to Alabama will identify the reasons states may or may not choose to change constitutions.

Both Alabama and South Carolina share a similar problem with outdated state constitutions; each contains many amendments with little revision to the original document. Conversely, Georgia has had ten constitutions since 1777. In 1983, Georgia ratified and adopted its current constitution which is one of the newest in the United States and is considered a true constitutional reform. This portion of the study will allow the researcher to compare trends in Alabama's constitutional history to the political culture, opposition to change, evidence of direct democracy, and catalyst(s) for change in South Carolina and Georgia. The comparative analysis

will enable the researcher to assess factors that create the environment for change within a similar state.

To determine the differences in democratic frameworks among these states, an analysis of documents at the Alabama Department of Archives and History in Montgomery, Alabama, and the Clemson University Libraries in Clemson, SC was conducted. To understand the history and reform of South Carolina's and Georgia's constitutions, documents housed in Clemson University Libraries including manuscripts, encyclopedias, and historical documents were used in this study. Documents were identified strategically that describe the political climate in those states throughout the years. Specifically, what made state leaders either willing to move forward with frequent revisions to the state's constitution or maintain the status quo? Each state is unique in the way it addresses policy issues.

South Carolina

South Carolina has both similarities and differences to the state of Alabama; however, the age of the current constitutions are essentially the same. South Carolina uses the constitution adopted in 1895 and the document has significantly fewer amendments than Alabama's 1901 Constitution. While the founders of the 1901 Alabama Constitution created the document to ensure white supremacy, founders of the 1895 South Carolina Constitution created their governing document to "avoid erecting a numerous democracy (Underwood, 1989, 81)." South Carolina's intent through this statement was to limit the freedoms of citizens. This empowered the central government in Columbia.

V.O. Key commented that South Carolina created its state government to model the English Parliamentary system (Key 1949). In this model, the governor is merely a symbol and

the legislature serves as the primary core of governmental action. W.D. Workman regarded South Carolina as dominated in the legislature by the “Barnwell Ring,” or long-time Barnwell County senators Edgar Brown and Solomon Blatt (1968). Barnwell County housed less than two percent of the state’s population but Barnwell residents held positions of Governor, President Pro Tem of the Senate, Speaker of the House, and Chair of the Public Service Commission (Workman, 1963). This created a long-standing tradition of a small population of the state controlling a significant portion of the state’s legislative votes. The Barnwell Ring is similar to politics in Alabama’s Black Belt region during the creation of the 1901 constitution.

James Underwood, an emeritus professor from the University of South Carolina Law School, wrote a four-volume narrative about South Carolina’s constitution. The collection as a whole focuses on the evolution of the allocation of power under the South Carolina constitution. Underwood says that South Carolina constitutions have reflected the popular opinion of the time in which the document was written. Connections between the South Carolina and Alabama constitutions include interest group dominance within the state legislature and local and county governments being controlled by the state legislature.

Another similarity between the states centers on the deliberation of issues shifting from the local courthouse to the state house causing citizens to seek representation from interest groups in order to have access to the political decision making process. The key comparison between the Alabama and South Carolina constitutions is that they are both reactionary and not proactionary. For example, each state creates legislation to deal with a particular problem, and each amendment is specific to that particular topic. Even if the next problem is only slightly different, the prior legislation will typically not address it because of the specificity for the previous issue.

Although South Carolina has not introduced constitutional reform to its citizens, it is the intent of Underwood's narrative to inspire more research into reviewing the current constitution. Many law professors within the state believed that an outdated constitution might not be the most effective governing document. Similar to the organized movements on this same issue in Alabama, no further investigation into the South Carolina Constitution has been initiated.

Although there are similarities between the Alabama and South Carolina Constitutions, several differences also exist. The most obvious is the length of each document. At 27,421 words and 498 amendments, South Carolina's Constitution is significantly smaller than Alabama's with an estimated 376,006 words and 880 amendments. However, South Carolina is still ranked third for longest state constitutions behind Alabama and Arkansas.

Article X of the South Carolina Constitution lists general taxation information and does not list specific millage percentage taxes on real property. In 2006, South Carolina lowered the sales tax on groceries from five percent to three percent and increased sales tax on additional items by one percent. This change was made in an effort to support local schools. In contrast, Alabama has a high sales tax on necessities but stands firm on not raising property taxes to support local schools.

While there has not been a total reform of the South Carolina Constitution, the state has moved forward with revisions to the document. During the 1950s and 1960s, local government structure came under scrutiny within the General Assembly. Members of the legislature realized that the 1895 constitution was "no longer suited for the times" (Underwood, 1989, 116). In 1968, the South Carolina General Assembly created the *Committee to Make a Study of the SC Constitution of 1895* that examined all parts of the document to determine if it should be revised.

Emphasis was placed on home rule and local government structures although the document was reviewed by the committee in its entirety.

Home rule issues were the catalyst for the formation of the committee which determined that counties should be classified based on population to assess their local issues adequately. Underwood says, “Not only does special legislation consume much General Assembly time on matters that essentially are local in nature but such laws may afford inequitable advantages to favored political factors” (Underwood, 1989, 120). Many of the committee’s recommendations were included in the 1973 amendments that created Article VIII which called for stronger local government provisions. Similar to Alabama, limiting home rule was a means by which the state government could control local governments and begged the question from the committee of how much control makes the system ineffective. A fundamental issue for the committee revolved around the question “how tight should the state’s control of its political subdivisions be?” (Underwood, 1989, 117).

While the creation of a committee to determine the need for revisions to the South Carolina Constitution is not a new idea to those who have wished to do the same with Alabama’s 1901 constitution (e.g. Governor Folsom’s special sessions with the legislature to urge them to rewrite the 1901 constitution, Governor Brewer’s 1969 Commission on Constitutional Revision), the time invested in Article VIII to affect home rule has had a different effect than Alabama’s Judicial Article of 1973. Underwood says that Article VIII did give South Carolina local governments more power but there continues to be fragmentation of power that causes inefficiency, duplication of efforts among counties and the state, confusion between local and state agencies, and an added expense to the state as a whole (1994). In Alabama, the Judicial Article of 1973 has been maintained through the state’s unified court system and continues to be

the one change in the 1901 constitution that inspires those who are eager for reform. Conversely, South Carolina has engaged in a continuous revision process, article-by-article, of the document since 1968.

Georgia

Georgia has adopted ten constitutions since 1777. The most recent document, ratified in 1983, gave the state the second newest constitution in the United States (preceded only by Rhode Island in 1986). The current constitution is the direct result of Governor George Busbee's request to revise the 1976 constitution that still closely aligned with the post-Civil War constitution of 1877.

The constitution of 1877 closely resembles the 1901 Alabama Constitution and other Southern state constitutions of the time. Among other goals, it extended voting to "free white male citizens," addressed many "vagrancy and anti-enticement statutes designed to restore white control of black labor," created public schools for whites, and excluded blacks from juries (Cobb 1997, 29-30). Both houses of the Georgia General Assembly rejected the Fourteenth Amendment which extended rights and due process for black citizens.

Also similar to Alabama, is the creation of the poll tax through the 1877 constitution. This was followed by a literacy test, and both excluded black and poor white voters from participating in elections. During the Depression Era, politics in Georgia began to take a gradual turn. The state's leadership was concerned with rebuilding the economy and focusing on economic growth. Although it took several years after the Depression to create momentum, the state started to see change during the 1940's.

In 1948, Governor Herman Talmadge started Georgia's move toward a new era in politics. He unintentionally enhanced public education by sponsoring a three percent sales tax designed to narrow the gap between segregated schools. While appearing to support the farmer, he became an influential proponent of the Industrial Era. In turn, voters approved a constitutional amendment for tax breaks for new factories (Cobb 1997, 62-63). In 1965, the Voting Rights Act changed the political landscape of Georgia which in turn meant that more blacks gained political office. William B. Hartsfield, the longest serving Mayor of Atlanta, was quoted as saying that Atlanta was "too busy to hate (Cobb 1997, 70)."

The 1945 constitution was the first after the post-Civil war document of 1877. Revision of the 1945 document began in 1963. This was largely due to efforts from the state legislature and Governor Ellis Arnall who pushed for the revision. Although the intent of the document was to revise the 1877 constitution, not much in the way of change was implemented. In 1976, a revised constitution was created but still did not reach what the legislature or governor wanted in terms of a fully revised version of the 1877 constitution.

Busbee, a member of the state legislature during the 1976 revision, said that a full revision was too complicated at this point in the process. He then ran for governor on the platform of revising the constitution on an article-by-article basis. This came to fruition after he won the election. He decided on a simple reorganization of the document which was implemented after approval from the legislature. This proved to be a catalyst for the reform of the 1983 constitution.

Shortly after the 1976 constitution was ratified, the state legislature created the Select Committee on Constitutional Revision. The seven-member committee consisted of the Governor, Lieutenant Governor, Speaker of the House, Attorney General, house representative, senate

representative, and judicial branch representative. In 1977, the members started to work on a complete revision of the document.

The article-by-article revision of the 1976 constitution was a lengthy process. Each revised article was drafted and approved by both the Select Committee on Constitutional Reform and the General Assembly. Several public meetings were held between 1977 and 1981 to solicit public opinion on each article's content. The final version of the document was submitted to the General Assembly in 1981.

A special session of the legislature was convened to determine whether reapportionment and constitutional revision should occur. The legislature approved the new document in September 1981. The amendment process continued through the regular session in 1982 and it was submitted to voters for approval in 1982. The ratified version was supported by all three branches of government and was "bolstered by a strong effort to educate the public about its content" (The Georgia Encyclopedia, The Constitution of 1983). It became effective on July 1, 1983 after being ratified by voters.

There were three goals of the Select Committee on Constitutional Reform: brevity, clarity, and flexibility. The intent was to revise the document completely making the undertaking a constitutional reform and not a revision. The new document was one-half the length of the 1976 constitution and was easier to navigate. In addition, the new document gave the General Assembly the ability to deal with policy matters through statutes. One of the biggest changes was that amendments dealing with one county, city, or locality are not present. These types of amendments have been strictly prohibited through the revision.

In addition to increasing home rule, Georgia's current constitution allows counties to amend or repeal local acts by ordinance under some circumstances. Counties can write

ordinances to govern their property, affairs, and local government. Georgia's constitution eliminated laws that can exclude home rule by creating a more general document that allows localities to create their own laws within certain limitations.

The 1983 Georgia Constitution was new and not revised as it was the first reformed constitution since 1877. The new document was the result of almost twenty years of intense discussion and debate among Georgia's leadership. While the new constitution contained some of the original provisions of the 1877 document, it contained an equal protection clause, division of the courts into seven distinct classes, a requirement for uniform court rules, record keeping rules by class for all divisions of courts, and nonpartisan election of judges. The constitution was "a reflection of the state's rich political and social history (Cobb 1997, 80)."

Alabama Judicial Article of 1973

As mentioned previously, the Judicial Article marks the only significant change to the 1901 Alabama Constitution. Dr. Gerald Johnson, former Professor of Political Science at Auburn University and current Director of the Capital Survey Research Center in Montgomery, along with two of his Auburn University colleagues, Dr. Deborah J. Barrow and Robert S. Montjoy, collected research in the 1980s and 1990s on the Judicial Article for a study entitled the *JUDY Project*. The paper they wrote for publication was entitled, "The Politics and Economics of State Court Reform: Alabama and the National State Court Reform Movement." The following is a content analysis of the data collected through their research on November 7-8, 2013 stored at the Alabama Archives in Montgomery.

The Alabama Constitutional Commission was created on September 12, 1969 by Governor Albert Brewer. The Commission was the result of ideas generated through the 1966

Citizens Judicial Conference which was organized to study and to make recommendations to improve the 1901 constitution. During the 1960s and 1970s there was a national reform effort calling for the establishment of a National Center for State Courts. The creation of the Commission was the first organized effort toward exploring judicial reform, which was first recommended in 1915.

Court reform was a sweeping movement across most states by the 1970s. However, the timing of adoption, type of reform, and the extent to which states unified varied. The definition of “unified” for this context is a simplified court system in which courts were consolidated and court administration was centralized. The most significant factor for reform was a state’s financial resources and states that had more means were more likely to move forward with unification.

Legislative action for the Judicial Article was led by Senator Stewart O’Bannon, and Representatives Ronnie Flippo and Robert Hill. Each of these representatives was from Florence (Howell Heflin’s hometown of Tuscumbia is a neighboring town). In April 1973, the second Citizens Conference on Alabama State Courts occurred.

The Judicial Article was introduced with twenty sections, and, after debate left the General Assembly with twenty-one sections. In comparison, the 1901 constitution had thirty-four sections which were six more parts than that of the 1875 constitution. The key to judicial reform was the Unified Court System. Chief Justice Heflin had five key principles for the system:

1. Simple appeals process
2. Time and energy savings for appellate courts and litigants
3. Permit judges to specialize and reduce the need for special courts
4. Avoid waste of manpower attributable to personnel unavailability and lack of justifications for needed assignment
5. Cooperation among courts would increase if courts and judges had equal jurisdiction

The most controversial part of the Article was a fear that district courts would lose control which ultimately meant revenues. In addition, the probate courts were left out of the Article which some felt weakened the concept for unification of the court system.

The Senate concurred with the House changes, and the bill was enacted at 11:56 pm, four minutes before the end of the session. “The Citizens Conference on Alabama state courts was extremely important as a lobbying agency on behalf of judicial reform (Stewart 1975, 116).” Heflin led a statewide ratification campaign through the Citizen Conferences and state pork producers. On December 18, 1973, 118,449 Alabamians voted. Of this number, 73,609 (62.1%) voted for the Article and 44,840 (37.9%) voted against.

The Citizens Conferences were created to improve public interest for judicial reform while increasing support of the concept of this type of change to the document (Barrow et al., 1995). Many of those involved believed that public support was a key factor in the adoption of the Article. The Unified Court System consists of the Supreme Court, Court of Criminal Appeals, Court of Civil Appeals, district courts, a probate court, and municipal courts. The Supreme Court has the power to govern the administration of each of these courts. The 1973 Judicial Article is the only part of the Commission’s work that was accepted.

Snapshot of 1973 Judicial Article

There were several central issues to those who supported and those who opposed the Judicial Article. Proponents favored uniform system, costs, and efficiency. Those who opposed the change cited concerns over local autonomy versus centralized authority, municipal courts, costs, certified lawyer requirement (Johnson, 1995). It was the task of the key players who

supported the revision to persuade those who were in opposition to accept what they viewed as positive changes that the Article would bring.

Several of the key players on each side of the issue were Conrad Fowler, Probate Judge and Chairman from Shelby County; Joseph McDermott, Vice Chair Constitutional Revision Committee; George Wallace, Governor; James Folsom, Incumbent Governor; Clement Clay "Bo" Torbert, Jr., Chief Justice following Heflin; Howell Heflin, Chief Justice; Sam Daniels, Probate Judge for Marengo County; Roland Cooper, Probate Judge Wilcox County; L.C. Payne, Judge Shelby County Inferior Court; Richard Dominick, Senator Jefferson County; Senator Stewart O'Bannon, who introduced the bill with seventeen cosponsors, representing Colbert and Lauderdale Counties; Representative Stubbs, representing Marion County; Representative Rankin Fite, representing Marion County; Representative Ronnie Flippo, from Florence; Representative Bob Hill, who introduced bill with twenty-three cosponsors, from Florence; Representative O'Daniel, from Tallassee; and Robert Ellis from Adamsville (Johnson, 1995).

Additionally, several individuals played significant roles in moving forward the message of the Judicial Article outside of the general assembly and judiciary. Some of those individuals included Carl Bear, Chairman of Citizens Conference; Robert Bryan, Publisher of *Athens News Courier* and *Cullman Times*; John Walkins, Executive Director of the League Municipalities; John Cashin, National Democratic Party; Harold Davenport, Mayor of Alabaster; William Gardiner, President, Alabama League of Municipalities; Jess Lanier, Mayor of Bessemer; and Fred Posey, Circuit Clerk, Autauga County.

Keys to Success

During the period, Howell Heflin was the President of the Alabama Bar Association and he was able to use his position to add the goals of the National State Court reform movement to Alabama's policy agenda. Second, the timing of Albert Brewer's governorship was also crucial to the Judicial Article because the governor's support was a requirement for creation of the Constitutional Commission. A third reason for success was that the membership of the general assembly had the right individuals in key positions to ensure the passage of the Judicial Article. Specifically, the "Muscle Shoals Mafia," or members of the General Assembly who were loyal to Howell Heflin and represented towns in close proximity to his hometown of Tuscumbia, were influential in the legislature at this time. As Johnson notes, "Good luck and good timing may have been the most critical pieces of passing the Judicial Article (1995).

Moving Forward with Change

In April 1967, a resolution was introduced for a joint House-Senate Constitutional Revision Committee. After the resolution passed, the six-member committee was charged with reviewing overall problems with the state's constitution. The Committee recommended that "extensive study and preparation" should precede any formal consideration of constitutional changes. During the time that the Constitutional Committee conducted its study, the General Assembly and Governor Lurleen Wallace were receptive to ideas that the committee might pose to lead to a complete revision of the document.

By 1969, Albert Brewer had become governor following the untimely death of Governor Lurleen Wallace. Even more so than his predecessor, Governor Brewer was interested in the

possibility of reforming the Alabama Constitution. In September 1969, he created the Constitutional Commission, comprised of twenty-one members and a \$100,000 budget.

With the support of Governor Brewer, Howell Heflin began his quest to reform the Alabama Constitution although he knew that revising an entire section of the document would be difficult. Heflin believed that the key to success would be to gain support from all segments of the state's populace and that citizen support would be critical. His strategy was to enlist support from those who were everyday citizens such as laborers, small businessmen, and other professional business positions. He would use attorneys and judges to work behind the scenes to implement the revision.

Heflin reinstated the idea of citizens' conferences through the American Judicature Society. With the organization's support, he arranged for the second Citizens' Conference to be held in Birmingham on April 5 – 7, 1973. During the three-day conference, more than 200 citizens participated in recognizing recent improvements made to the current judiciary process. Citizens pointed out the need for additional corrections to the process and requested that legislators allow a vote of the people on the proposed Judicial Article reform. The citizens' conference received national commendation because it engaged voters to review the process and provide feedback.

To organize the legislative process, Heflin created a team commonly called the "Muscle Shoals Mafia." The team was composed of individuals from the Northwest corner of Alabama: Stewart O'Bannon, state senator; Bob Hill, state representative; Ronnie Flippo, state representative; William F. Gardiner, mayor of Tuscumbia and president of the Alabama League of Municipalities; Ed Tease, Florence circuit court judge; Robert Martin, former editor of *The Florence Times*. In conjunction with the team, Heflin led the statewide ratification campaign

involving a strategic publicity campaign to ensure that the topic of judicial reform became a household topic.

The strategic campaign was financed and coordinated by the Citizens Conference and joined by most major state newspapers and organizations. Contributions from these groups included the following examples: eighty percent of the state's daily newspapers (including all major dailies) giving editorial endorsements, seventy percent of the state's weekly papers giving editorial approvals, support from forty-five organizations within the state (twenty of those being statewide organizations), distribution of more than five thousand posters by the Alabama Jaycees, and radio and television advertising by the Alabama Motorist's Association. Heflin said of the citizens' movement, "The Alabama reformers did nothing that other states have not considered, nothing that could not be done by most states. But it took a genuine citizens' movement, lawyers more interested in justice than narrow professional interests and a powerfully determined chief justice at the helm."

The organizations that supported the revision included a diverse group comprised of the Alabama Congress of Parents and Teachers, the Alabama State Chamber of Commerce, the Alabama Farm Bureau Federation, the Alabama Education Association, Alabama Business and Professional Women, the Alabama Labor Council, the Alabama Safety Council, the American Association of University Women, the Alabama Democratic Conference, the League of Women Voters, and the Alabama Pork Producers.

Leadership, the influence of the national state court reform movement, and the opening of a policy window were all factors in the successful adoption of the Judicial Article. In addition to giving Heflin credit for moving the Article through the legislative process, Governor Albert Brewer is credited with also being instrumental. Brewer provided the impetus for revision of the

Article by establishing the Constitutional Commission which began the process for judicial reform.

The following key factors are continually illustrated in the documentation on the Judicial Article of 1973 in the Alabama Archives. First, the national state court reform movement created a platform by which the topic could be broached in Alabama. Second, the availability of federal funds through the Law Enforcement Assistance Administration allowed leaders in the reform movement to conduct research and educate the citizens during the reform process. Third, the leadership role of Howell Heflin was critical in both the developmental and adoption stages of the Juridical Article.

Fourth, and also critical, was the leadership role of C.C. "Bo" Torbert as the Chief Justice who would implement the revisions to the Judicial Article. Fifth, was the work of legislators, commissions, conferences, and committees within and outside of the General Assembly to succeed in a difficult task. Sixth, was the success of those involved in generating media and public acceptance of the revisions to the Judicial Article. In addition, to the six prominent factors was the ability of key players to make specific actions at the opportune times and places needed to ensure that the process for revision worked at the specified decision-making level.

Johnson captured the thoughts of many of the key players involved in the Judicial Article revision process through a series of interviews. Included in the interviewees, were two professors who studied the Judicial Article after the revision. The interview questions were semi-structured in nature and allowed for personal opinions to be included as well as facts surrounding the revision process. The questions also prompted the interviewees with requests to expand on a particular statement or clarification of a previous statement. The following thoughts were

captured by Johnson through structured questions centered on why Alabama was able to pass the Judicial Article revision when other states were unable to implement similar processes.

Johnson interviewed Dr. Frank Toohey, who was the former fiscal officer for the Alabama Legislature beginning in 1973. Toohey recounted that during that time there were serious questions about the accessibility of justice. The courts were often mysterious to the general public and this created an atmosphere which would ultimately stimulate a change to improve the system.

However, with the litigation explosion which followed, especially in the 1970s and 1980s, accessibility was no longer a significant issue. Toohey felt with the urgency removed, other states were not as determined or forceful in a plan for change. He noted that there was a “crumbling beginning” at this time in the power of the probate judges. With a change in power, a shift was possible toward improving the entire judicial system. He stated three things that were critical to understanding how the Judicial Article was passed: the people, the issues, and the strategy.

During Johnson’s interview with Governor George Wallace, Wallace said he always supported the Article in general although not as openly as others hoped. Wallace felt that one of the biggest issues with the Judicial Article was how it would be funded, why it could not sustain itself, and why it had to be given appropriations every year from the General Assembly. Wallace credited Heflin and the Citizens Conference for gathering the necessary forces of support for the Article.

John Watkins, former Executive Director for the League of Municipalities, noted that the Judicial Review revision process showed the willingness of the various interest groups in

Alabama to deal with questions and judicial reform if the “proper carrot” was dangled in front of them.

During an interview with Dr. Bill Barnard, former Chair of the University of Alabama History Department, Barnard noted that this period in the 1970s was a “self-cleansing” period for some of the people involved in Alabama politics on the heels of the turmoil of the 1960s. He said this cleansing period was not just in Alabama but in the nation as a whole. Barnard believed the split in the populist supporters, particularly at the gubernatorial level, contributed to the interesting cycle of progressive leadership, then conservative leadership, and a continued back and forth between the two parties. This cyclical movement may explain why timing is so important in Alabama politics as it relates to the preferences and disposition of the people.

Conrad Fowler, Probate Judge and County Commission Chairman for Shelby County, noted the key issue of judicial reform was understanding that reform tied directly to politics on one side, and the art of science in legislation on the other. He felt that the key to the reform effort was that the Article passed the state legislature. Passing the legislature was one of the more difficult aspects of making any changes in the Alabama political system.

Mike House, former Director of the Permanent Study Commission on the Alabama State Courts, was included in the drafting and passage of the 1973 Judicial Article and implementation following in 1975. House drew attention to the necessity of a strong grassroots organization to get significant legislation passed. He had strong concerns with the media and the necessity to have its support in any type of political pursuit. He felt it was necessary to have support from the state as a whole first and then move to the legislature. It will not work in the opposite order.

Joseph F. Johnston, Chair of the Alabama Constitutional Commission July 9, 1981,

believed Howell Heflin received too much credit for the Judicial Article. Johnston served on the Constitutional Commission. He stated, “rather than organized resistance and opposition, there was more a matter of inertia than opposition. Constitutional revision is not a popular or an easy process to achieve within a state. There is an almost an instinctive resistance to such a change, and it is this resistance or inertia with which the proponents of the Article had to deal” (Johnson, 1995).

Dick Volentine, former Staff Attorney and Special Assistant to the Chief Justice, directed a research project on court unification and Alabama judicial reform following the passage of the Judicial Article. He drew several conclusions which were captured in the Project Report on the Judicial Article of 1973. He cites several reasons for the successful passage of the Article including dissatisfaction with many aspects of the old judicial system (i.e. non-lawyer, judges, case delay, inferior courts), dedication of Howell Heflin to the cause of judicial reform, availability of grant money (ALEPA, LEAA) for adequate research and study into the prospects of judicial reform, excellent work of the Constitutional Commission in drafting and analyzing the proposed judicial article, strong and influential sponsorship of the Article in the legislature in 1973 (i.e. O’Bannon, Flippo, and Hill), the complete campaign for the Article; a strong statewide show of support (Alabama State Bar, Bench, Citizens Conference), the absence of any concerted opposition, the argument that the new judicial system would pay for itself, the failure by many legislators and others to understand the Article, and a large number of lawyers in the legislature in the early 1970s.

After conducting the *JUDY Project* research, Johnson had the following insightful comments on how the Alabama Judicial Article was passed in relation to Kingdon’s policy process theory previously cited:

“In the case of Alabama judicial reform, Howell Heflin and Bo Torbert were the principal policy entrepreneurs. Heflin, through determination and work and through the Alabama Bar Association, placed the issue of state judicial reform on the state’s policy agenda. He played the lead role, through joining forces with the Alabama Constitutional Commission, in the development of the options for providing a solution to the problems of case backlog which resulted, he believed, from an uncoordinated, ununified, and unmanaged judicial system. And, he was a principal policy entrepreneur in the third stream, the political stream, in getting public and official support to adopt the judicial article. At this point, the role of the principal policy entrepreneur changed from Heflin to Torbert. It was Torbert who was the policy entrepreneur in the policy processes required to implement, fund and staff, the Judicial Article. It is debatable, as previously stated, to state to what degree the causal factors which brought these three streams together can be attributed to a single or set of factors. It is also debatable as to whether or not, or how, they could be brought together again to achieve the same or different objectives. In the context of the policy landscape of AL, and regardless of the merits of the specifics of judicial reform, the adoption of comprehensive judicial reform is an impressive achievement” (Johnson, 1995).

Alabama Legislative Activity

Actions taken in the Alabama Legislature may be accessed publicly through the Alabama Legislative Information Session Online (ALISON). Information was accessed through this site during this study for the years 2000-2014 to determine action taken in the House Constitution, Campaigns & Elections Committee, the Senate Constitution, Campaign Finance, Ethics, & Elections Committee, and subsequent roll call votes generated from bills introduced to the House or Senate. During the last fourteen years, only eight (8) bills related to constitutional reform were introduced in House or Senate committees and none of those bills emerged from committee.

The issues of tax reform, home rule, and a committee to study constitutional reform in the state are included in each of the bills. The information in Table 4.1 shows strong support of constitutional reform in 2000. Subsequent years show limited support of the issue as bills were introduced in both the House and the Senate.

Table 4.1 Bills for Significant Constitutional Reform in AL Legislative Committees*					
Year	Senate Bill	House Bill	Sponsors	Name	Result
2000 Reg	n/a	HB 367	Thomas, Grantland, Letson, Mancuso, Schmitz, Fuller, Starkey	AL Tax Reform Commission	Did not leave committee
2001 Reg	n/a	HB 236	Hooper	Study of Tax Reform con't	Did not leave committee
	n/a	HB 760	D. Thomas, E. Thomas, Greeson, Warren, Oden, Curry	Study of AL Constitutional Reform	Did not leave committee
2001 Special Session 2	n/a	n/a			
2001 Special Session 3	n/a	n/a			
2001 Special Session 4	n/a	n/a			
2002 Reg	SB 353	n/a	Bedford	Const of AL of 1901, replaced with constitution of AL 2002	Section 284 of current constitution regarding mode of amending constitution, amended, const amendment replaced
2003 Reg	SB 127	n/a	Mitchell	Code Commissioner directed to prepare & publish a recompiled constitution of AL Const of 1901	Did not leave committee

Table 4.1 Bills for Significant Constitutional Reform in AL Legislative Committees

Year	Senate Bill	House Bill	Sponsors	Name	Result
	SB 456	n/a	Marsh	Counties, optional home rule, powers regarding economic development , public safety & health, taxation, and land regulation & use	Did not leave committee
2003 Special Session 1	n/a	n/a			
2003 Special Session 2	n/a	n/a			
2004 Reg	n/a	n/a			
2004 Special Session 1	n/a	n/a			
2005 Reg	n/a	n/a			
2005 Special Session 1	n/a	n/a			
2006 Reg	n/a	n/a			
2007 Special Session 1	n/a	n/a			
2008 Reg	n/a	n/a			
2008 Special Session 1	n/a	n/a			

Table 4.1 Bills for Significant Constitutional Reform in AL Legislative Committees

Year	Senate Bill	House Bill	Sponsors	Name	Result
2009 Reg	SB 18	n/a	Coleman	Local constitutional amendments subject to statewide referendum requirement for number of dissenting votes in legislature increased	Did not leave committee
2009 Special Session 1	n/a	n/a			
2010 Reg	n/a	n/a			
2010 Special Session 1	n/a	n/a			
2011 Reg**	n/a	n/a			
2012 Reg	n/a	n/a			
2013 Reg	n/a	n/a			
2014 Reg	n/a	n/a			

* House Committee: Constitution, Campaigns & Elections Committee; Senate Committee: Constitution, Campaign Finance, Ethics, & Elections Committee

**Constitutional Revision Committee appointed in 2011 to re-write 1901 constitution article by article. To date, Committee has had limited success with only two amendments approved by voters which made minor changes to the constitution's articles on banking and corporations

A trend developed beginning in 2003 when little activity is seen in the legislature concerning constitutional reform. Bills that deal primarily with home rule issues developed in 2003, 2007, and 2009. Table 4.1 shows each bill introduced on a constitutional reform issue, either the House or Senate committee in which it originated and/or moved, the bill sponsor, and description from 2000 to 2014 including years in which no bills were introduced on the topic.

The most notable information provided are the years in which no bills were introduced in the legislature on this widely publicized topic.

Consequently no roll call votes are recorded on the issue of constitutional reform within the legislature as was the original focus of this portion of the research. Although information made its way from the grassroots movements to elected officials and into the committees, no additional action was taken in order to move those bills through for a vote in either house. Information about a future focus area of constitutional revision within the legislature may be found in the Future Research section of the last chapter of this research study.

CHAPTER V

Public Opinion Survey Data

Summary of Compiled Data on Constitutional Reform

Between 2001 and 2012 multiple surveys were conducted to assess the public opinion of constitutional reform within the state. However, the question of constitutional reform appeared in only one or two questions among as many as fifty questions asking about general concerns within the state. More information about the surveys including the agencies, questions, and responses to those questions addressing constitutional reform directly can be found in the Appendixes (A.3-A.18). The following analysis discusses other factors addressed in those surveys and why constitutional reform trends changed over the eleven-year span of data collection.

In 2012 the Public Affairs Research Council of Alabama (PARCA) surveyed 541 potential voters and asked the most important issue for the Alabama Legislature to consider during that year. The highest-ranked response was jobs and the economy at 31.95%, no opinion was the second ranked response at 21.79%, education was the third highest ranked response at 12.58%, and constitutional reform was one of the lowest ranked responses at 1.686%.

In 2011, PARCA asked the same question to 536 potential voters. For the 2011 survey, the highest responses were also jobs and the economy at 34.78%, followed by no opinion at 18.85%, and education ranking third at 15.77%. Constitutional reform also ranked low on that poll at 1.882%.

In 2010, PARCA asked the same question to 529 potential voters and received a similar response rate. Jobs and the economy was ranked first at 27.35%, no opinion was ranked second

with 19.71%, education was ranked third with 19.6%, and constitutional reform was ranked at the bottom with 1.21%. Responses for 2009 were similar for the 494 respondents surveyed although no opinion and education reversed positions during that year. Jobs and economy ranked first with 37% of the votes, education ranked second with 20%, no opinion ranked third with 17%, and constitutional reform was near the bottom at 1%.

The question of the major problem facing Alabama was not asked specifically between 2005 and 2008. Other questions were asked to assess public opinion of constitutional reform which will be covered later. No specific constitutional reform questions were asked on surveys after 2008. Those surveys did include the most important issues but not the specific questions about constitutional conventions, home rule, tax reform, etc. Surveys which asked about the major problem or issue facing Alabama returned in 2004 administered by Capital Survey Research Center (CSRC). During that year CSRC polled 785 potential voters. During this year, education/funding education ranked at 32%, accountability (of the legislature) ranked at 9%, budget and funding ranked at 9%, and constitutional reform ranked at 6% and was the fourth highest category.

In 2002 CSRC asked a similar question of 616 potential voters concerning the major problem facing the state. Education was rated at 39%, followed by the economy and budget at 8%, unemployment/jobs at 7%, and constitutional reform at 3%. Similarly, in 2001 CSRC asked 443 potential and registered voters the most important issue for the legislature to address. Funding education ranked 56%, tax reform ranked 14%, constitutional reform ranked at its highest at 11%, and anti-abortion ranked at 8%. The next group of survey responses illustrates survey questions that ask about specific issues related to constitutional reform.

In 2010 CSRC asked 820 potential and/or registered voters if the legislature should “allow the people to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution.” Of the respondents, 441 or 50.5% supported a constitutional convention while 308 or 35.2% opposed a convention. Those in the “don’t know/no reply” category totaled 125 or 14.3% of responses.

In 2009 CSRC asked 515 potential and registered voters if there should be a vote on a constitutional convention of elected delegates. For this question, 61% wanted their legislator to vote for a convention, 23% wanted their legislator to vote against a convention, and 16% did not know. Similarly in 2008, CSRC asked voters to allow a vote on whether or not to have a constitutional convention. Voters who favored the vote totaled 63.9%, those who did not favor the vote were 24.4%, and those who did not know were 11.7%.

The CSRC asked a slightly different question to 560 registered or potential voters in 2007 which was to allow Alabama citizens to vote on holding a constitutional convention. For this poll, 38.1% strongly supported a convention, 25.7% somewhat supported, 9.8% somewhat opposed, 13.1% strongly opposed, and 13.3% did not know.

In 2006, the CSRC conducted two surveys. In February, the Center asked 550 registered or potential voters if they would “support or oppose the legislature passing a bill to allow a vote of the people on whether or not to hold a constitutional convention of elected delegates to write a new constitution for approval by a vote of the people.” For this particular poll, 72% supported, 19% opposed, and 10% did not know. In April of the same year, CSRC asked 852 potential or registered voters the same question. At that time, 56% supported, 27% opposed, and 17% did not know.

During 2002-2005, CSRC asked more specific and pointed questions about constitutional reform. In 2005, the Center asked 863 potential and registered voters how they might “vote on the question of holding a constitutional convention of elected delegates to write a new constitution for Alabama.” At that time, 68% favored a vote, 17.7% were against a vote, and 14.3% did not know or did not reply.

In 2004, CSRC asked 785 potential and registered voters whether or not they would “be willing to sign a petition that would allow a vote on a new constitution written by a constitutional convention of delegates elected by the people.” For this question, 54.9% responded yes, 28% responded no, and 17.1% did not know. The final year of collecting data on this subject occurred in 2002 and asked about Governor Siegelman’s bipartisan effort to rewrite the constitution.

During 2002, two questions were asked to 520 potential and registered voters. First, CSRC asked the following, “Governor Siegelman, a Democrat, and Lt. Governor Windom, a Republican, have both proposed a constitutional convention to write a new constitution for Alabama. Do you believe a new constitution is needed to solve the problems of Alabama?” For this question, respondents answered 55.6% yes, 31.5% no, and 12.9% did not know. The second question asked, “If a new constitution is written, who do you think should develop a new constitution that would be submitted to the people for their approval?” Respondents replied, 55.8% for a constitutional convention and 26.9% for the legislature.

Table 5.1 provides a summary of the responses collected on questions referring to constitutional reform between 2001 and 2012.

Table 5.1: Alabama Reporting Agencies Public Opinion Survey Data 2001-2012

Date	Reporting Agency	Survey Properties	Question	Response
January 4-18, 2012	Public Affairs Research Council of Alabama (PARCA)	-Statewide RDD sample, n = 541 -Margin of error +/- 4.21% -Weighted by race and gender to match state demographics	The Alabama State legislature starts its 2012 session in February. What do you think is the most important issue for the legislature to address this year?	Constitutional Reform: 1.686%
January 4-19 2011	Public Affairs Research Council of Alabama (PARCA)	-Statewide RDD sample, n=536 -Margin of error +/- 4.23% -Weighted by race and gender to match state demographics	The Alabama State legislature starts its 2011 session in March. What do you think is the most important issue for the legislature to address this year?	Constitutional Reform: 1.882%
February 10, 18; March 24-25, 29-30; April 13-14 2010	Capital Survey Research Center	820 Likely Voters SME +/- 3.3%	Please tell me if you support or oppose each of the following. Allow the people to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution.	441 Support 50.5%
Jan 4-17, 2010	Public Affairs Research Council of Alabama (PARCA)	-Statewide RDD sample, n=529 -Margin of error +/- 4.26% -Weighted by race and gender to match state demographics	The Alabama State Legislature starts/started its 2010 session January 12 th , what do you think is the most important issue for the legislature to address this year?	Constitutional Reform 1.21%
Feb 10, 18; March 24-25, 29-30; April 13-14 2010	Capital Survey Research Center	874 Likely Voters SME +/- 3.3%	Allow the people to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution.	Support 441 50.5%
Jan 6-22, 2009	Public Affairs Research Council of Alabama (PARCA)	-Statewide RDD sample, n=494 -Margin of error +/- 4.4%, -Weighted by race and gender to match population figures.	The legislature goes back into session February 3 rd , what do you think is the most important issue for the legislature to address this year?	Constitutional Reform 1%
Jan 12-15, 21-22 2009	Capital Survey Research Center	515 Registered Voters SME +/- 4.4%	<i>(Please tell me if you want your legislator to vote for or vote against each of the following proposals. If you do not know just say so).</i> Vote on constitutional convention of elected delegates.	61% say they wanted their legislator to vote for a constitutional convention of elected delegates.
March 10-12, 17-18 2008	Capital Survey Research Center	599 Likely Voters SME +/- 4.0%	<i>(Please tell me if you want your legislator to vote for or vote against each of the following proposals).</i> Allow vote on whether or not to have a const convention.	Vote for 63.9%

Table 5.1: Alabama Reporting Agencies Public Opinion Survey Data 2001-2012

October 2-4, 9-11 2007	Capital Survey Research Center	560 Likely Voters SME +/- 4.2%	<i>(Please tell me if you strongly support, somewhat support, somewhat oppose, or strongly oppose each of the following proposals? If you do not know, just say so).</i> Allow Alabama citizens to vote on holding a constitutional convention.	-Strongly Support 38.1%; -Somewhat Support 25.7%
Feb 8-9, 13 2006	Capital Survey Research Group	550 Registered Voters SME +/- 4.2%	Do you support or oppose the legislature passing a bill to allow a vote of the people on whether or not to hold a constitutional convention of elected delegates to write a new constitution for approval by a vote of the people.	Support 72%
April 11-13, 18-19 2006	Capital Survey Research Center	852 Registered Voters SME +/-3.5%	Do you support or oppose the legislature passing a bill to allow citizens to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution for approval by a vote of the people?	Support 56%
July 12-14, 18-21 2005	Capital Survey Research Center	863 Registered Voters SME Total +/- 3.5% SME Primary +/- 4.9%	What is your overall impression of the Alabama Constitution?	-Adequate to meet the needs of the state 18.9% -Needs some revision and amendments 45.2% -Need a new constitution 24.6% -Don't know/No reply 11.4%
			Who would you trust the most to write a new constitution?	-legislature 15.8% -Constitutional Convention 62.3% -Don't know/No reply 21.8%
			How would you vote on the question of holding a constitutional convention of elected delegates to write a new constitution for Alabama? Would you vote:	-For a convention 68.0% -Against a convention 17.7% -Don't know/no reply 14.3%
			How would you feel about voting no on all proposed constitutional amendments until the legislature allowed a vote of the people on holding a convention? Would you:	-Vote no on all amend to force a vote on a convention 43.6% -Not vote no on all amend to force a vote on a convention 34.3% -Don't know/no reply 22.1%

Table 5.1: Alabama Reporting Agencies Public Opinion Survey Data 2001-2012

			Would you be more or less likely to support a candidate for public office who supports a constitutional convention to write a new constitution for Alabama? Would you be:	-Much more likely 26.3% -Somewhat more likely 38.8% -Somewhat less likely 11.7% -Much less likely 9.6% -Don't know/no reply 13.6%
Jan 15-Feb 3 2004	Capital Survey Research Center	733 Registered and Likely Voters SME +/- 3.6%	How important is it that the governor of Alabama to reform the Alabama constitution?	-Very important 32.2% -Important 27.4%
			Do you believe Governor Bob Riley has been successful in reforming the Alabama Constitution?	Yes 15.8%
			If a candidate for governor runs on a platform of constitution reform, would that make you:	-Absolutely vote for that candidate 5.2% -More likely to vote for that candidate 35.9%
May 4-6, 17-20 2004	Capital Survey Research Center	785 Registered and Likely Voters SME Total +/- 3.5%	What do you think is the major problem or issue facing Alabama that the governor needs to address?	Constitutional Reform 6%
			Would you be willing to sign a petition that would allow a vote on a new constitution written by a constitutional convention of delegates elected by the people?	Yes 54.9%
Jan 9-23, 2002	Capital Survey Research Center	520 Registered and Likely Voters SME +/- 4.3% (Full Sample) SME +/- 6.2% (Sub Sample)	Do you believe a new constitution is needed to solve the problems of Alabama?	Yes 55.6%
July 9-22, 2002	Capital Survey Research Center	616 +/- Registered and Likely Voters SME +/- 4.0%	What do you think is the major problem facing the state that you would like the next Governor to resolve?	Constitution 3%
Nov 13-20, 2002	Capital Survey Research Center	606 Registered Voters	I want to read a list of issues or proposals that may be considered by the next Governor and legislature. Please tell me if you support or oppose each issue or proposal.	-Constitution reform Strongly Support 14.5% Support 46.2% -Constitution Convention of delegates elected by the people to write a new constitution for a vote of the people Strongly support 10.4% Support 53.6%

Nov 19- Dec 3, 2001	Capital Survey Research Center	443 Registered and Likely Voters SME +/- 4.6%	Can you tell me anything the legislature should have done over the past four years that would have been good for you or your family?	Constitutional Reform 4%
			Voters were asked which of five legislative issues was most important for the legislature to address.	Constitutional Reform 11%
March 2001	Southeast Research, Inc.	Sample Size 400 SME +/- 5.0% 95% Confidence Rate	How familiar are you with the issue of constitutional reform in Alabama?	-Very familiar 9.8% -Somewhat familiar 46.8%
			Some groups are calling for a total rewrite of Alabama's 1901 constitution. How important do you feel it is that such a rewrite be undertaken?	-Very important 34.3% -Somewhat important 25.3%
			Which method do you think would be better (to rewrite the AL Constitution)?	-A constitutional convention 60.5% -The Alabama Legislature 30.5%
			Do you personally support having ___ rewrite Alabama's Constitution?	-A constitutional convention 75.5% -The Alabama Legislature 14.3%
Oct 1-9, 2001	Capital Survey Research Group	591 Registered and Likely Voters SME +/- 4.0% (Full Sample) SME +/- 6.2% (Sub Sample)	On a scale of 1 to 5, with 5 being the strongest support and 1 being do not support, please tell me how strongly you support each of the following proposals.	-Constitutional reform to all for "home rule" for local county 3.5 -Constitutional reform to modernize the 1901 constitution 3.37
			I want to list five items that the legislature may consider this year. Please tell me which of these five you think is most important for the legislature to address.	Constitutional reform 11%

Secondary Analysis CSRC Data 2008, 2009, and 2010

Data Source

The CSRC provided raw data from surveys conducted in 2001- 2006 and 2008-2010. The surveys focused on the political landscape of the state during a given year and asked questions ranging from the major issues facing the state (e.g. education, funding, immigration, taxes) to specific questions on state legislative or gubernatorial candidates seeking election. In each year, CSRC asked at least one question that pertained to constitutional reform efforts.

The research question for this portion of the research is:

What are the demographic characteristics of Alabamians who support constitutional reform?

Survey questions pertaining to the research question are the focus of this research and all other questions not pertaining to constitutional reform were discarded. The way in which the constitutional reform questions were written varied slightly in all but the last three years. Because of the inconsistency of the questions, only the data from 2008, 2009, and 2010 was analyzed in the logistic regression model. In addition, three separate models were created in order to combat issues with possible randomization as some individuals may have been contacted more than once over the time span. Additionally, each independent variable was asked in each of the three years selected.

Tables 5.2 - 5.4 include the demographic information of the sample set of data used in this analysis and include age, gender, race, income level, political affiliation and geographic area. Geographic region was not included in this table because it was not significant in any of the three years analyzed.

Table 5.2 Support of constitutional change based on demographics 2010³

Individual characteristics of respondents	Vote for a change in AL Constitution	
	Support (%)	Oppose (%)
Age (n=750)		
18-24	2	1
25-34	5	5
35-44	5	9
45-54	9	9
55-64	9	15
65+	12	18
Total	41%	59%
Gender (n=754)		
Male	30	18
Female	28	24
Total	58%	42%
Race (n=720)		
African American	11	5
Caucasian	47	37
Total	58%	42%
* ⁴ Income level (n=662)		
< \$25,000	10	8
\$25,000 - \$50,000	15	12
\$50,000 - \$75,000	12	9
\$75,000 - \$100,000	10	8
> \$100,000	11	5
Total	58%	42%
Political Affiliation (n=737)		
Democrat	19	10
Republican	19	20
Independent	20	12
Total	58%	42%
Geographic Areas (n=732)		
Rural	23	21
City	35	21
Total	58%	42%

³ n=609 total responses used in the logistic regression model due to missing question responses

⁴ The original CSRC survey was populated in the provided income categories.

Table 5.3 Support of constitutional change based on demographics 2009⁵

Individual characteristics of respondents	Vote for a change in AL Constitution	
	Support (%)	Oppose (%)
Age (n=438)		
18-21	1	1
22-34	5	3
35-45	8	4
46-55	13	8
56-65	16	5
65+	27	9
Total	70%	30%
Gender (n=439)		
Male	36	15
Female	34	15
Total	70%	30%
Race (n=421)		
African American	15	2
Caucasian	56	27
Total	71%	29%
* ⁶ Income level (n=396)		
< \$25,000	17	5
\$25,000 - \$50,000	17	8
\$50,000 - \$75,000	16	9
\$75,000 - \$100,000	6	3
> \$100,000	14	5
Total	70%	30%
Political Affiliation (n=422)		
Democrat	25	8
Republican	26	14
Independent	20	7
Total	71%	29%
Geographic Areas (n=432)		
Rural	25	14
City	44	17
Total	69%	31%

⁵ n=360 total responses used in the logistic regression model due to missing question responses

⁶ The original CSRC survey was populated in the provided income categories.

Table 5.4 Support of constitutional change based on demographics 2008⁷

Individual characteristics of respondents	Vote for a change in AL Constitution	
	Support (%)	Oppose (%)
Age (n=529)		
18-21	1	1
22-34	6	2
35-45	10	3
46-55	13	5
56-65	20	6
65+	22	11
Total	72%	28
Gender (n=529)		
Male	34	13
Female	38	15
Total	72%	28%
Race (n=509)		
African American	16	2
Caucasian	57	25
Total	73%	27%
*⁸Income level (n=476)		
< \$25,000	14	7
\$25,000 - \$50,000	20	7
\$50,000 - \$75,000	14	5
\$75,000 - \$100,000	11	4
> \$100,000	14	4
Total	73%	27%
Political Affiliation (n=505)		
Democrat	29	8
Republican	24	13
Independent	19	7
Total	72%	28%
Geographic Areas (n=512)		
Rural	26	15
City	46	13
Total	72%	28%

⁷ n=426 total responses used in the logistic regression model due to missing question responses

⁸ The original CSRC survey was populated in the provided income categories.

Independent Variables

The independent variables included demographic characteristics and political affiliation. The demographic variables included gender, race, age, geographic region of Alabama, income level, and geographic area of Alabama. Each of these factors has been mentioned as a socio-economic factor studied in Alabama's political behavior in previous research. In this analysis, age was coded as a continuous variable, gender was coded as a dichotomous variable (male = 1 and female = 2), race was coded as a dichotomous variable (African American/black = 1 and Caucasian/white = 2), and geographic area was coded as a dichotomous variable (rural = 1 and city = 2). Political affiliation was coded into three categories (1 = Democrat, 2 = Republican, and 3 = Independent). Income level was coded as a continuous variable where 1 = <\$25,000, 2 = \$25,000 to \$50,000, 3 = \$50,000 to \$75,000, 4 = \$75,000 to \$100,000, and 5 = \$100,000 and above. Finally, geographic region of the state was coded as a categorical variable as shown below in Table 5.5. Although this independent variable did not prove significant it was important to determine the region in which participants were located based on the significance of regional preferences covered in the literature review.

Table 5.5: Alabama Counties by Region

North AL (1)	Lauderdale	Black Belt (3)	Pickens
	Limestone		Greene
	Madison		Hale
	Jackson		Sumter
	Colbert		Choctaw
	Franklin		Marengo
	Lawrence		Wilcox
	Morgan		Perry
	Marshall		Dallas
	Dekalb		Autauga
	Cherokee		Lowndes
	Etowah		Crenshaw
	Winston		Bullock
	Central AL (2)		Marion
Lamar		Montgomery	
Fayette		Clarke	
Tuscaloosa		Monroe	
Calhoun		Conecuh	
Cleburne		Butler	
Talladega		Pike	
Clay		Coffee	
Randolph		Dale	
Coosa		Henry	
Tallapoosa		Escambia	
Elmore		Covington	
Lee		Geneva	
Chambers		Houston	
Cullman		Mobile	
Blount		Baldwin	
St. Clair		Washington	
Walker		Montgomery	
Jefferson		Clarke	
Shelby			
Bibb			
Chilton			

Dependent Variable

The dependent variable used in this analysis was the perceived need for change in the constitution by asking the question “*allow the people to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution*” and giving respondents the options of “support,” “oppose,” “don’t know/no reply/other” for responses. For this analysis, only responses of “oppose” and “support” were included in the model. The two

categories of dependent variable include respondents who support constitutional reform and those who oppose reform.

Analysis

A binomial logistic regression analysis using SPSS 21.0 was performed to predict the probability of a respondent to support a change in the constitution. This type of model was chosen because it estimates the probability of change in the constitution. Unlike an ordinary regression model which uses one data point to indicate changes based on the relationship between the dependent and independent variables, the logistic regression model uses all data points to predict the overall probability of an event occurring (Johnson and Wichern, 2007). Three models were created to show the differences in public opinion from survey results captured in 2008, 2009, and 2010. It was important to have three separate models for this research instead of combining three years into one model. This is due to different independent variables for each year and possible randomization issues with duplicate respondents within the three years surveyed.

Random Digit Dialing (RDD) was used to identify the participants. RDD limits bias by using a computer program to determine which participants will be contacted. The number of respondents was not the same for each question which also caused variation in responses. For each of the corresponding bar graphs a mean probability was used, but a predicted probability was used for line graphs due to the use of continuous coding on the model.

In each year, the same questions regarding constitutional change and political affiliation were asked but changes in demographics included: gender, ethnic background, age, geographic region and household income. In each model, fit indices, pseudo R-squared, effect size estimates,

logistic regression coefficients and their significance, and corresponding odds ratios and their confidence intervals were calculated. Because there are more degrees of freedom with a continuous variable such as income and age, these were coded as such in the model. For this analysis, it was more important to understand the effect of a desire to change the constitution when age or income increases.

Results

The results of the binomial logistic regression models are shown in Tables 5.4. These tables include the logistic regression coefficients, (B), the corresponding standard errors (SE) odd ratios (OR), and the confidence intervals for the odds ratios (CI). The table below shows three separate models for the years indicated. Although the table aligns the years in sequence it is not a reflection of an overall model of the selected years. A model was created using responses from surveys collected during the given year.

Through the model, a mean predicted probability was created for each of the six independent variables considered in the analysis. The models created mean predicted probabilities using the total responses to the survey questions to predict the overall possibility that an Alabamian would support constitutional change (i.e. what are the odds that a citizen would vote for a change in the constitution given certain demographics).

A final analysis was conducted to compare the three years using the Average Predicted Probability of each year to generate graphs which showed trends over each year of the data collection. The graphs generated an average predicted probability of trends in support of a constitutional change through specified demographics in the independent variables.

Table 5.6 Estimated coefficients of binomial logistic regression model

Predictor	2008					2009					2010				
	B	SE	OR	95% CI for OR	Chi-Square	B	SE	OR	95% CI for OR	Chi-Square	B	SE	OR	95% CI for OR	Chi-Square
Intercept	0.62					-0.03					-0.4				
Gender					0.21					0.03					8.35*
<i>Male</i>	0.11	0.23	1.11	0.71, 1.74		0.05	0.3	1.1	0.64, 1.70		0.5	0.17	1.7	1.17, 2.31	
<i>Female</i>	0 ^a					0 ^a					0 ^a				
Age	0.06	0.09	1.01	0.84, 1.20	0.01	0.21	0.1	1.2	1.04, 1.48	5.58*	0.12	0.06	1.1	0.99, 1.25	2.97
Household Income	0.18	0.09	1.2	1.00, 1.43	4.04*	0.004	0.1	1.0	0.84, 1.21	0.00	0.13	0.07	1.1	1.00, 1.29	3.63
Race					2.29					6.24*					0.32
<i>African American</i>	0.57	0.39	1.77	0.83, 3.77		1.12	0.5	3.1	1.22, 7.61		0.17	0.29	1.2	0.66, 2.10	
<i>White</i>	0 ^a					0 ^a					0 ^a				
Geographic Areas					5.08*					2.26					5.83*
<i>Rural</i>	-0.52	0.23	0.59	0.38, 0.94		-0.38	0.3	0.7	0.42, 1.12		-0.4	-0.4	0.7	0.46, 0.92	
<i>Urban</i>	0 ^a					0 ^a					0 ^a				
Political Affiliation					5.23					1.68					10.69*
<i>Democrat</i>	0.24	0.32	1.27	0.67, 2.39		0.21	0.4	1.2	0.60, 2.52		0.18	0.18	1.2	0.73, 1.95	
<i>Republican</i>	-0.41	0.28	0.66	0.38, 1.14		-0.22	0.3	0.8	0.45, 1.43		-0.5	-0.5	0.6	0.40, 0.89	
<i>Independent</i>	0 ^a					0 ^a					0 ^a				
Sample size		599					515					874			

Note. *p < 0.05; ^a – reference category

In 2008, household income level was significant. As the income increased respondents were more likely to support a change in the constitution as shown in Figure 5.1

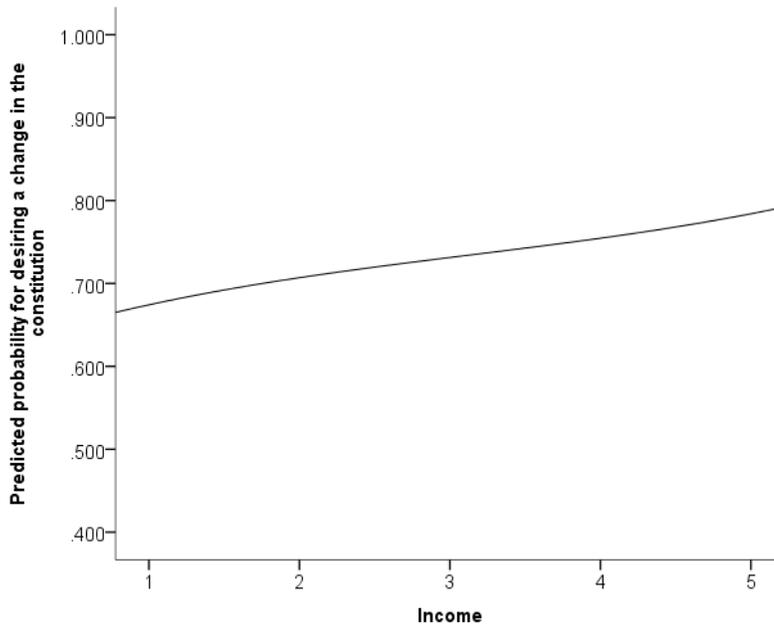


Figure 5.1 Effect of income on a change in the constitution (2008)

Geographic areas of a respondent's residency were also significant. These were broken into rural and urban areas of the state. The geographic regions, shown previously, were not significant. As seen in Figure 5.2, those living in more urban areas of the state were more inclined to support a change in the constitution.

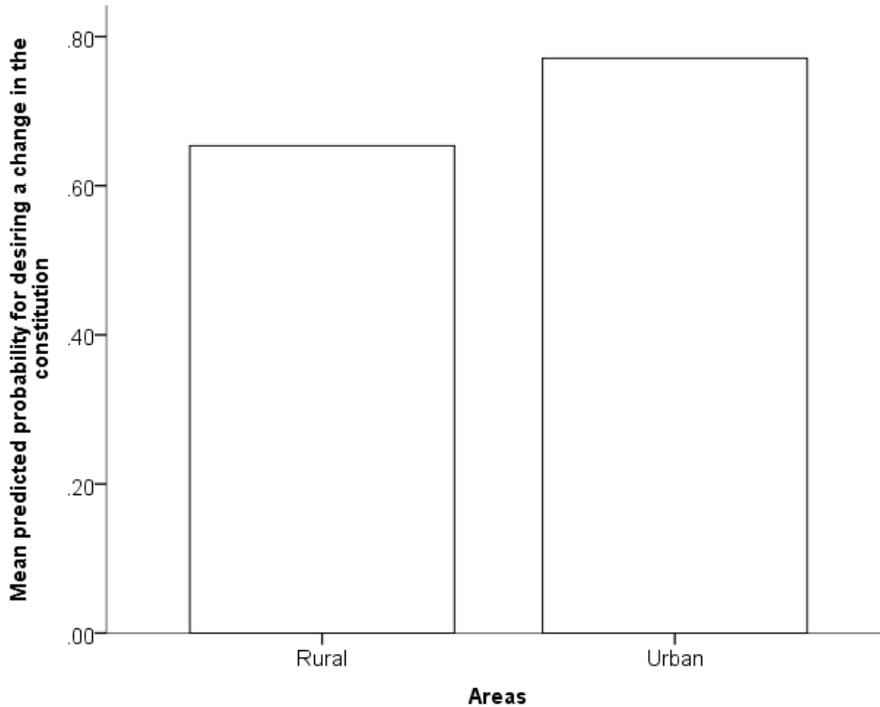


Figure 5.2 Effect of geographic area on a change in the constitution (2008)

Political affiliation was approaching significance at .073. Democrats were more likely to support a change when compared to Independents while Republicans were less likely to support a change when compared to Independents. Figure 5.3 shows the effect of a desire for constitutional change on political affiliation among respondents. Gender, race, and age did not show significance for those surveyed during 2008.

In 2009, race proved significant as African Americans were more likely to support a change in the constitution. Figure 5.4 shows the results of race in 2009.

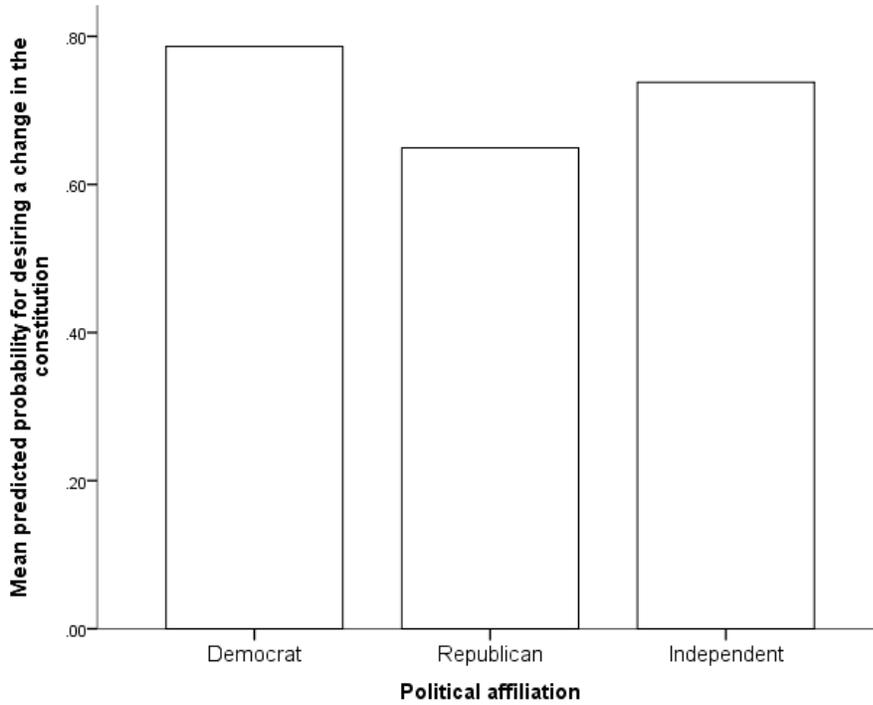


Figure 5.3 Effect of political affiliation on a change in the constitution (2008)

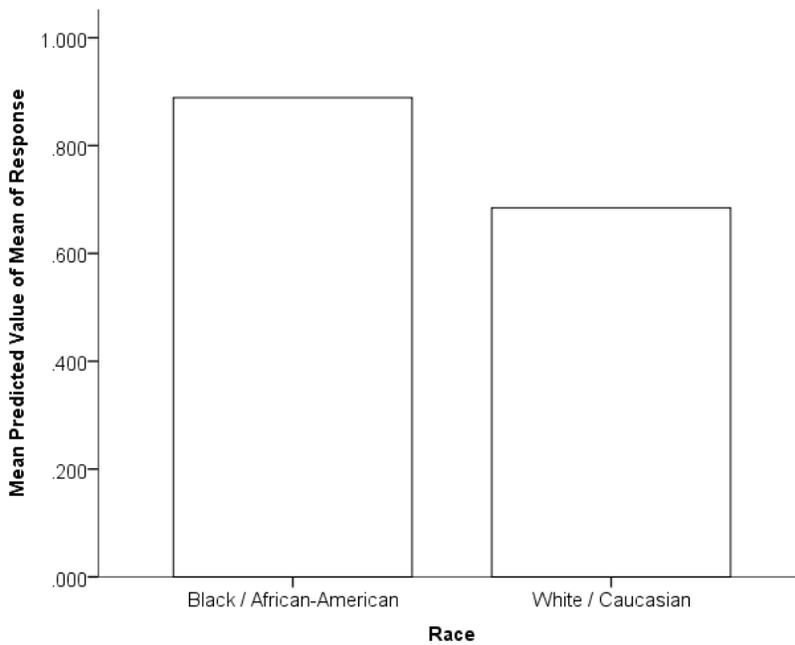


Figure 5.4 Effect of race on a change in the constitution (2009)

Likewise, age proved significant and as age increased a respondent was more likely to support a change in the constitution. Figure 5.5 illustrates the age results of the analysis. Gender, political affiliation, geographic area and income did not prove significant in the analysis from the 2009 survey data.

In the 2010 analysis, geographic areas, gender, and political affiliation proved significant. Those in urban areas were more likely to support a change. Although geographic region was not included in Table 5.6, it was used as an independent variable in this year of analysis and highlighted Central AL as the location where more individuals were likely to vote for a change.

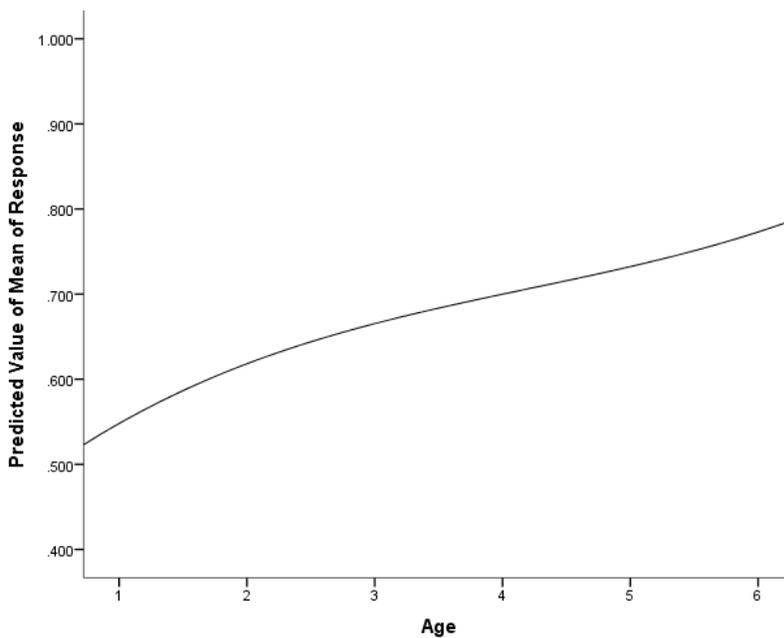


Figure 5.5 Effect of age on a change in the constitution (2009)

Household income was approaching significance. Political affiliation, geographic area, and household income graphs are shown below in Figures 5.6, 5.7, and 5.8.

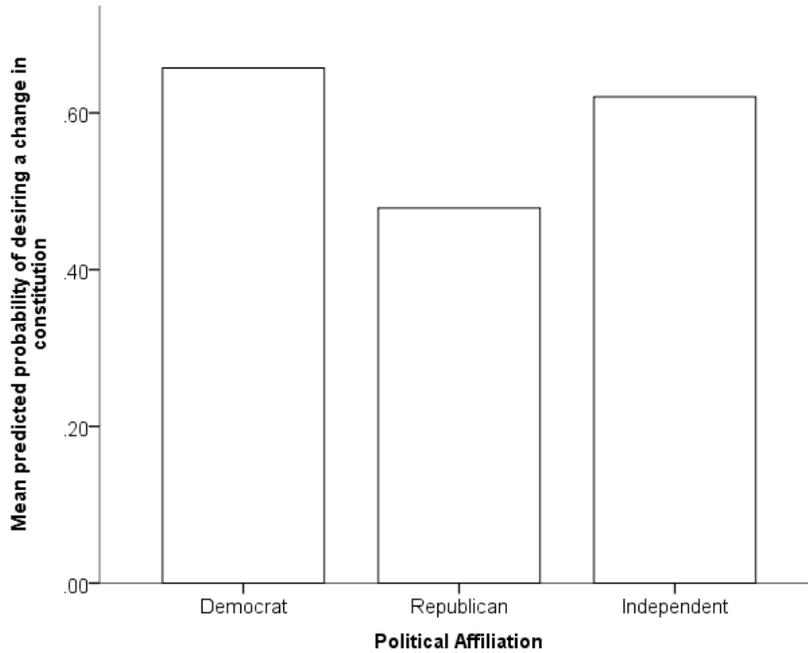


Figure 5.6 Effect of political affiliation on a change in the constitution (2010)

Geographic regions, race, and age did not prove significant in the 2010 analysis. In each analysis, at least one of the six independent variables was significant. Political affiliation was significant in 2008 and approaching significance in 2009. Gender was only significant in 2010, race was significant in 2009, and age was only significant in 2009. Geographic area was significant in 2008 and 2010, as was household income.

Figure 5.7 Effect of geographic area on a change in the constitution (2010)

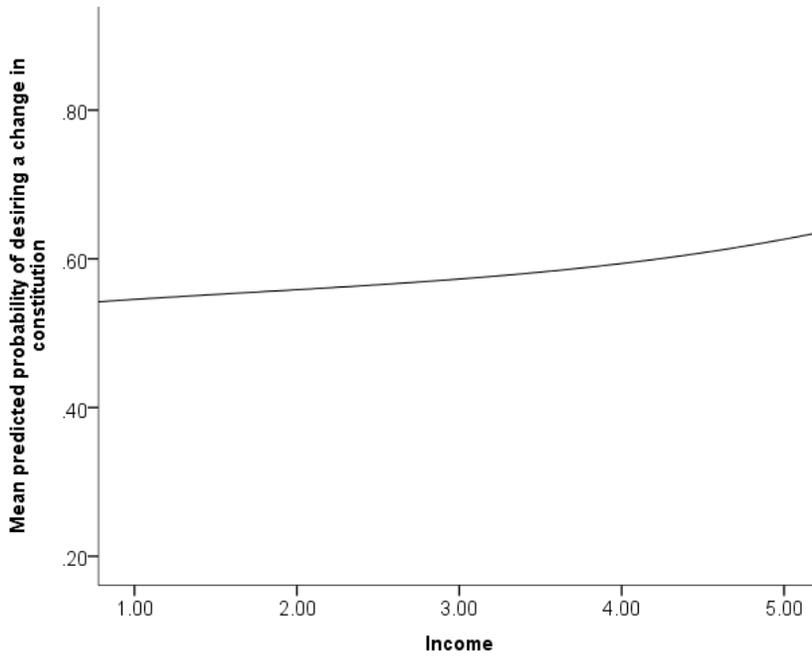
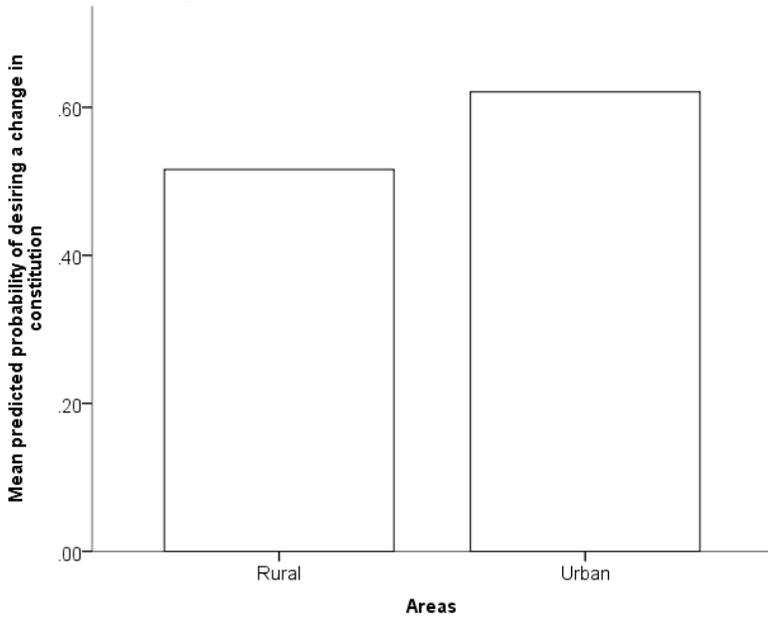


Figure 5.8 Effect of household income on a change in the constitution (2010)

Discussion

The findings in this analysis varied considerably. Each of the six independent variables proved significant at least once during the three years tested. During 2009, variables such as race and age proved significant although they did not prove so during 2008 and 2010. This may be due to the economic decline and the priorities of Alabamians changing in light of those events. Given the recent economic conditions, there are no major trends in the data.

Significantly more questions were asked on the surveys about constitutional reform between 2000 and 2007. Less specific questions about constitutional reform were asked on the surveys after 2008. Typically, these questions were included on the most important issues but not in specific questions about voting on a constitutional convention, home rule, etc. Because of negative issues with the economy, the data in 2008, 2009, and 2010 may be centered on Alabamians' more pressing issues.

Differences in the number of those surveyed may have played a factor in the results. Those numbers ranged from 599 in 2008, 515 in 2009, and 874 in 2010. Those differences in number surveyed and the possibility that the numbers could include those who were contacted during previous years create issues with randomization. Given these factors, the data should be viewed with caution in order to determine possible patterns and trends.

Political affiliation was significant in 2010, approaching significance in 2008, and not significant in 2009. Specifically, Independents were more likely to favor a change in the constitution over Republicans in 2010 while Democrats were more likely than Independents to favor a change in 2008. Figure 5.9a shows the trend for political affiliation to favor a change in the constitution during the three years.

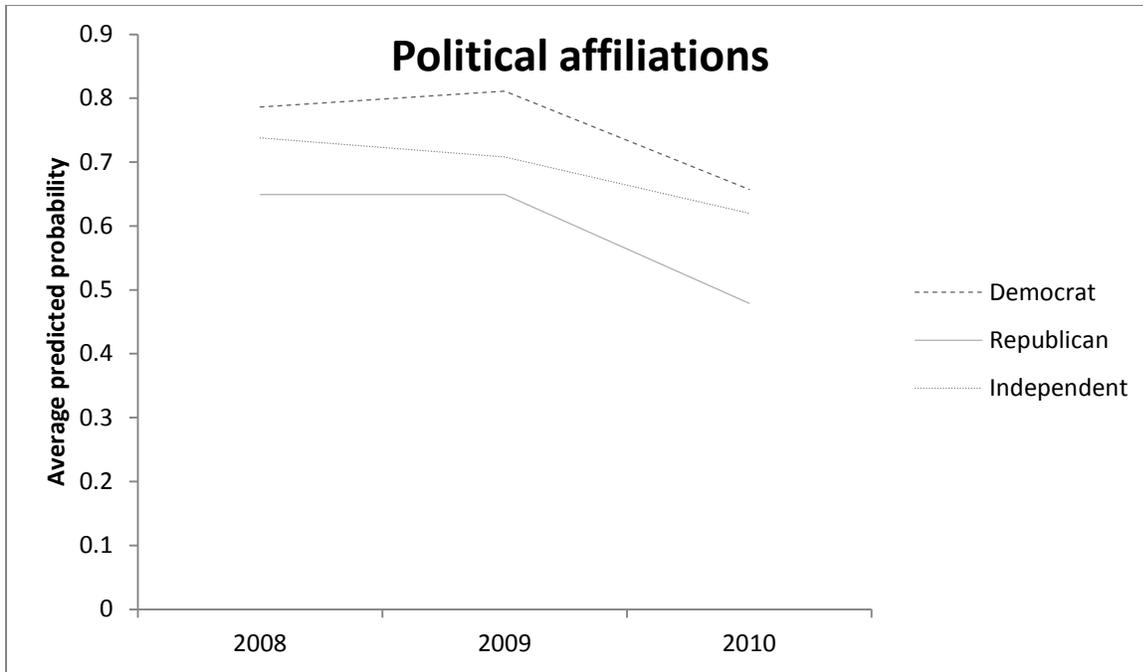


Figure 5.9a Average Predicted Probability: Political Affiliation

Geographic areas were also a significant factor in 2008 and in 2010. Urban areas were more likely to support a change in the constitution during those years. In 2009, areas were not significant but, similar to 2008 and 2010, respondents were more likely to support a change in the constitution if they were from urban areas. This was in line with previous research of constitutional grassroots movements which have been established primarily in urban areas such as Auburn, Birmingham, Huntsville, Mobile, Montgomery and Tuscaloosa. Figure 5.9b illustrates trends in geographic areas during these years.

Other trends presented in age which was significant only in 2009. During this year, those who were over the age of sixty-five were more likely to support a change in the constitution. The

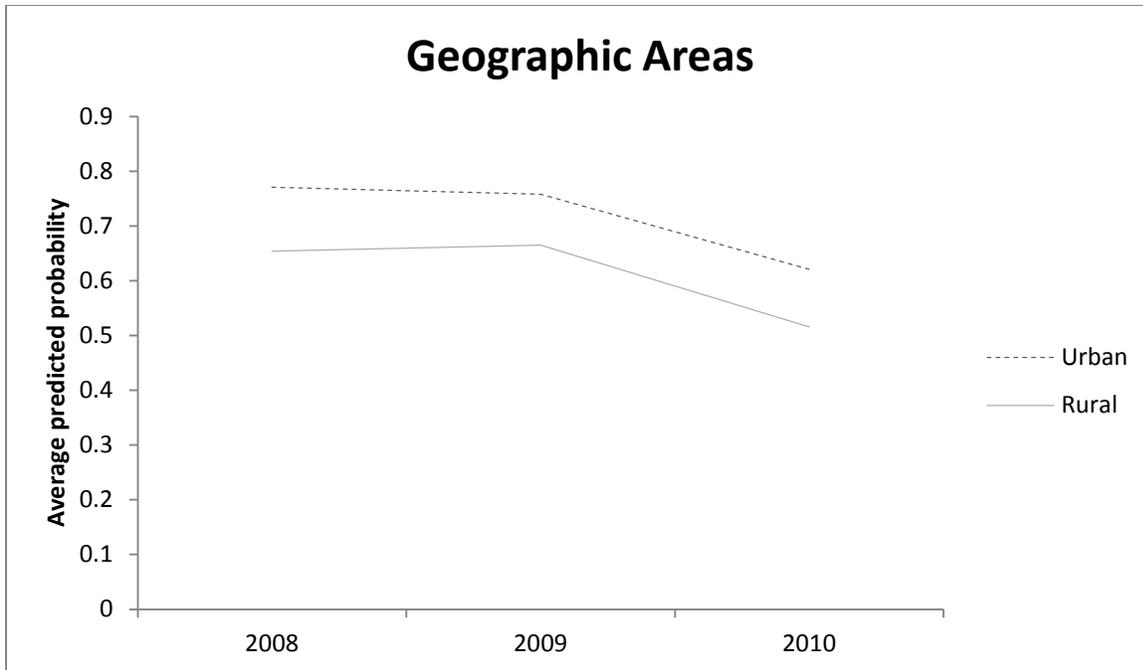


Figure 5.9b Average Predicted Probability: Geographic Areas

second age group to support a change was 56-65 followed by 46-55. This indicates that a couple of possibilities may exist. First, the age group of sixty-five and above would be more likely to be at home with a landline or cell phone to respond to these survey requests. Second, the age groups of 56-65 and 46-55 are more likely to be knowledgeable of the issues pertaining to the constitution given its long history and the political messages these individuals have been inundated with concerning changes to the constitution.

Income proved significant in 2008 and 2010 but not in 2009. In each of these years, however, those in the range of \$25,000-\$50,000 were most likely to support a change in the constitution. In 2008 and 2010, the second ranking group to support change fell into the \$50,000-\$75,000 category, but in 2009 the second group who favored a change was in the less than \$25,000 category. Each year varied in the third ranking group that supported change. In 2008, the third ranking group was less than \$25,000, in 2009 the third ranking group was in the \$50,000-\$75,000 range, and in 2010 the third ranking group was more than \$100,000. These

trends indicate that those in the \$25,000-\$50,000 range were consistently more likely to support a change in the constitution over those in other income ranges.

Both gender and race were only significant in one year of the analysis. Race was significant in 2009 and gender was significant in 2010. In 2009 and 2010, males were more likely to support a change in the constitution, but in 2008 females were more likely to support change. In all three years of the analysis, whites were more likely than African Americans to support a change. Figures 5.9c and 5.9d show trends in gender and race during the three-year analysis.

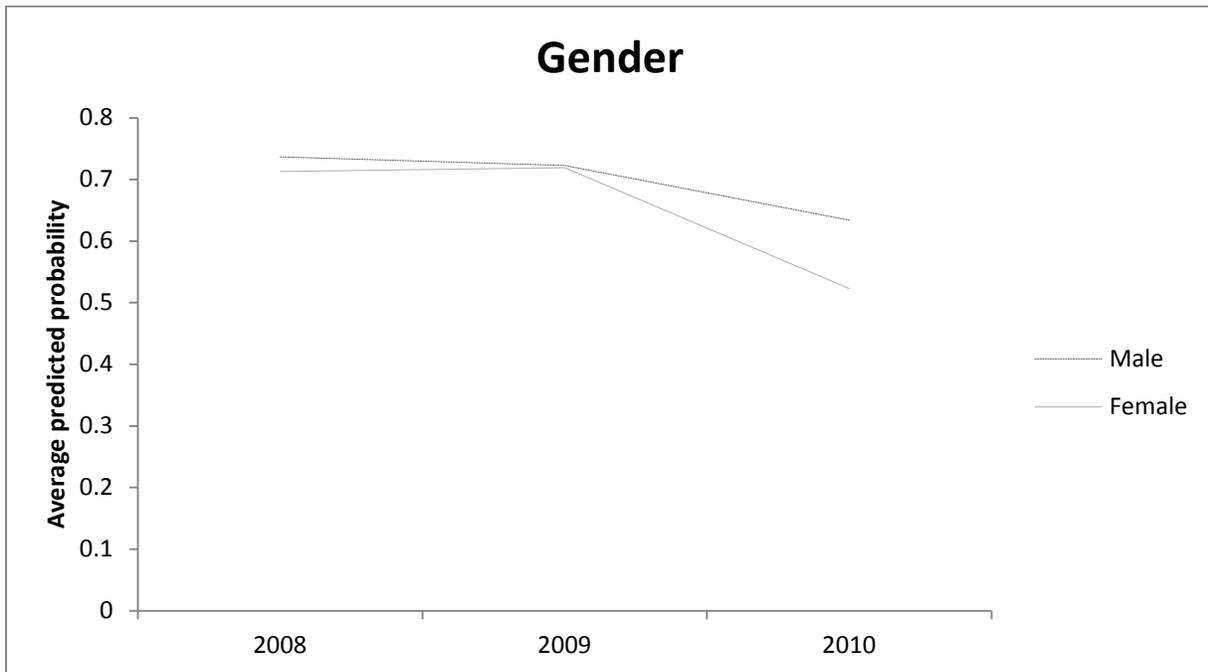


Figure 5.9c Average Predicted Probability: Gender

Political affiliation, household income, and geographic area of residence proved significant factors in this analysis. Although not significant in each year, these demographic attributes allowed for a prediction of citizens support for constitutional change more frequently than other demographic characteristics such as gender, race, and age.

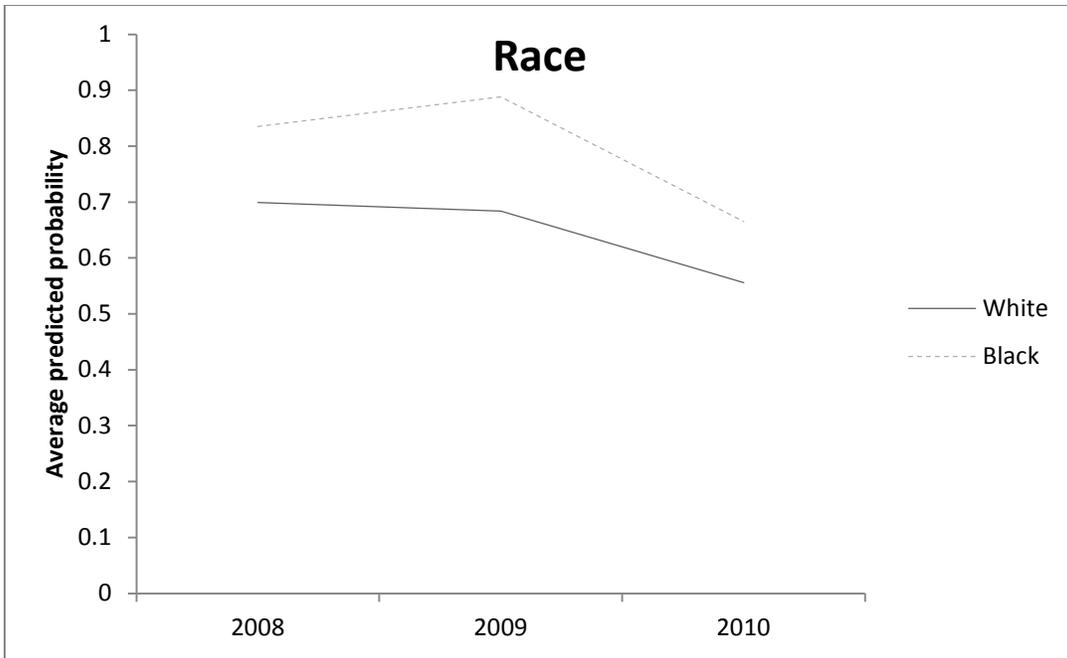


Figure 5.9d Average Predicted Probability: Race

CHAPTER VI

Findings and Conclusion

Chapter VI presents the key findings of this research. This chapter recaps the findings through the comparative studies of other state constitutional revision and reform processes, the one substantial change to the 1901 Constitution through the Judicial Article, and the significance of the public opinion data analysis. The chapter also highlights the ways in which a policy window may have been opened to allow changes in the state's constitution and the significance of public opinion on the issue both in previous and more recent years. The chapter also addresses future research opportunities associated with this topic.

South Carolina and Georgia v. Alabama: Constitutional Changes

Although explained in detail previously, it is difficult to understand the differences between the three state constitutions explored during this research. By all accounts each of the three states has endured a history of similar poverty during the Civil War and beyond, the transition from agrarian to a primarily industrial state, and political unrest during the Civil Rights movement. What is perplexing is the difference in South Carolina and Georgia to move beyond those trials and evolve with the opinion of the time to reform and revise their outdated constitutions. Tables 6.1 and 6.2 highlight the similarities and differences to Alabama in regard to their state constitutions.

While South Carolina is closer to Alabama in resistance to a revision of its constitution, the state has made significant strides since 1968. The key to understanding South Carolina's revision and the difference between that state and Alabama is the influence of the legislature to seek a change. Between the decades of the 1950s and 1960s the South Carolina Legislature

coordinated the issue of the document being outdated in terms of the way that the state was governed. Following this coordinated effort, the *Committee to Make a Study of the SC Constitution of 1895* was created in 1968 which prompted the article-by-article revision that continues today. The legislature recognized limited home rule as a major problem within the state and addressed its abolishment through Article VIII. This revision was not as effective as Alabama's Judicial Article revision in 1973 because South Carolina continues to deal with inefficiency, duplication, and confusion between state and local governments as they deal with issues affected by home rule. However, the legislature's involvement in moving the revision forward over the past forty-six years proves significant for this research.

Conversely, the changes to Georgia's constitution were initiated by their governor, Herman Eugene Talmadge, Sr., beginning in the late 1940s. The catalyst in changing the political tone was an increase in the sales tax to three percent which was dedicated to public education. Throughout the 1950s and 1960s, Georgia embraced the rise of industry and attempted to make the state more prosperous for business and industry. The governor and the legislature worked to shape Georgia's constitution around the political values and opinions of the time.

Many similarities exist between Georgia's 1877 constitution and Alabama's 1901 constitution. Georgia has written three constitutions since 1877 and although the first two were only slight revisions, the 1983 constitution served as a viable constitutional reform. No limitation of home rule is contained in the document by design, and the article-by-article revision was completed in four years. Similar to Alabama's public backing of the Judicial Article, Georgia created a significant campaign to gain support of the document after ratification by the legislature. Georgia shows more progress in using a rational process to create laws. Alabama has

a tendency to use a personal bias of the past to govern which is the result of its history in poverty and a fear of returning to a “Big Mule” control which stifles progressive action.

Evident in each state’s journey for constitutional change is the importance of commitment to change by one or more government entities. Of secondary importance is a commitment by state citizens. The combination of one or more of those factors appears to be a key factor in the implementation of state constitutional change.

Table 6.1 Alabama and South Carolina Constitution Comparison

State	Year Adopted	Amendments as of 2012 CGS data	Number of Constitutions	Similarities	Differences
Alabama	1901	855	6	<ul style="list-style-type: none"> • Legislature has the majority power • Barnwell County v. Black Belt Region: smallest percentage of the state dominating • Documents reflect the opinion of the time • Interest group dominance • Home rule • Local and county gov’t controlled by legislature • Laws are reactionary • Ranked in Top 3 longest const in US • <i>Committee to Make a Study of the SC Constitution of 1895</i> created in 1968. AL created similar committee in 1969: Const Commission 	<ul style="list-style-type: none"> • Length/amendments • Tax code in SC is general v. specific in AL • SC has made more progress with revision • Rewritten constitution article by article continuously since 1968 • Limiting home rule is seen as a true problem throughout state and first change was to address it • Article VIII (addressing home rule and local gov’t provisions) was not as successful as AL’s Judicial Article • Legislature initiated the constitutional revision
South Carolina	1896	497	7		

Table 6.2 Alabama and Georgia Constitution Comparison

State	Year Adopted	Amendments <i>as of 2012 CGS data</i>	Number of Constitutions	Similarities	Differences
Alabama	1901	855	6	<ul style="list-style-type: none"> • Select Committee on Const Revision created 1976. AL created a similar committee in 1969 • Support for GA const involved a strong effort to educate public. Similar to public support needed for the Judicial Article. • Governor initiated the reform process. 	<ul style="list-style-type: none"> • Length/amendments • GA has second newest const in US • GA began to revise its constitution while its political climate began to evolve in 1948 • GA embraced the industrialization and concentrated its political changes there as well • Article by article revision occurred between 1977-81 • Change to the constitution is considered a true reform instead of a revision • Allows home rule
Georgia	1983	71	10		

Activity in Alabama

The Alabama Judicial Article of 1973 shows several significant insights into the factors that must exist for a revision to be made to the 1901 Constitution. Several keys to this change versus other attempts were a national movement to reform court systems and the ability of the stakeholders to make this a genuine citizens’ movement. During the 1970s, a national movement for court reform throughout the nation laid the ground work for the Judicial Article to be realized in Alabama.

In addition to this nation-wide movement, the membership of the state legislature, the election of a new governor, and a charismatic and determined Chief Justice were all critical components to insuring that the Judicial Article would be initiated, passed, and implemented.

Governor Brewer commissioned the Constitution Commission and provided the financial resources necessary to provide a functional report of findings. Brewer also provided Howell Heflin with support which in turn allowed him to conduct a state-wide campaign for the Judicial Article.

Heflin's organization of two citizens' conferences fostered popular support of the issue and included laborers, small business owners, and other business professionals. Heflin's ability to work behind the scenes with attorneys and judges to take care of the details of the Article was a key part of the process. Additionally, state-wide newspapers gave the Article revision endorsements which quickly made it a pertinent topic. A variety of state organizations supported the Article through the prompting of Heflin and other stakeholders. Federal funding allowed Heflin and others to educate the public on the issue and to conduct research.

The timing of the national movement, the leadership of the governor and chief justice, the membership of the state legislature, and funding for needed resources made the Article a reality. Kingdon's policy stream model is the most applicable policy model reflected in the Judicial Article revision process. The problem stream is the need to reform the Alabama court system, the policy stream was the proposed Judicial Article, and the politics stream was the stakeholders and opponents of the reform. Each of these streams came together creating the right time for a policy window to open allowing the new policy to be created (Kingdon 1995).

Equally important is the understanding of Kingdon's organization of the policy process through (1) setting the agenda (2) determination of alternatives, (3) selection of an alternative among the legislature or governor, and (4) the implementation of the alternative/decision (1995). Each of these steps is highlighted within this revision process. The Judicial Article provides an example of agenda setting and implementation of a new court system in the state.

Johnson sums up the process for the Judicial Article most effectively by saying that it was realized due to timing and luck. After reading numerous documents provided through the JUDY Project, it appears that luck did play a tremendous part in allowing this policy to be realized. However, the calculated movements of Brewer and Heflin to gain the support of the citizens and to make the Article a household subject have not been seen in the state since 1973. The support of the legislature and citizens were the key components that could not be obtained through luck.

Reviewing the Alabama Legislature's activity beginning in 2000 (twenty-seven years after the Judicial Article was passed), bills associated with changing the constitution were limited. Five bills were brought to committee between 2000 and 2003. Proposal of these bills is most likely linked to the creation of the grassroots movement in Tuscaloosa and the widespread message of the need for constitutional reform through Alabama's major cities and college towns. It is difficult to understand why the bills did not make it out of committee and to a vote of the House and/or Senate during this time of apparent passion for the topic. One speculation is that the issue was in its infancy stage and not at the point of citizen appreciation as with the Judicial Article.

Bills brought to committee in 2007 and 2009 addressed changes in home rule but likely because of the current economic downturn, they did not gain traction. This correlates to the hypothesis that citizens will not vote for constitutional reform if there is one aspect of the bill with which they disagree or have no interest. Similarly, interest groups are able to persuade legislators in terms of what moves forward out of committee (Hula, 1999).

While one Alabamian may vote for an amendment from another county on the ballot during an election year, another Alabamian may vote against the same amendment. This may be

due in part to a lack of understanding of home rule or it may be the result of mindless voting to navigate through a ballot with numerous amendments. Regardless, home rule proves to be misunderstood except for the constraints it places on the local legislative process. Based on what South Carolina and Georgia have achieved through revising or reforming home rule language in their constitutions, these states have demonstrated that home rule does have a place in progressively minded states at the current time.

Similar to why constitutional reform bills may not move through the legislature is the question of whether or not public opinion favors change. The data analyzed through PARCA and CSRC never listed reforming Alabama's Constitution as the top priority for any given year. It is surprising that when respondents are specifically asked whether or not they would support a constitutional convention or for their legislator to rewrite the constitution the predominant response is yes. However, the issue has not passed legislative committees.

Issues such as education, job creation, and the economy are top priorities in the state during any given year. This aligns with national statistics on the most important issues during tough economic times as well as data on what Alabama's current priorities are in light of the economy (Carnevale et.al, 2010). How the current constitution directly affects the state's economy has not been illustrated in the way that the issues of the court system were publicized in the Judicial Article campaign. Until the importance of reform is clarified as a relatable issue to citizens, it is unlikely that reform will reach a Legislative agenda.

The logistic regression model shows that public opinion to support constitutional reform varies from socioeconomic factors as mentioned in the previous literature review such as a particular political affiliation, their geography in the state, and at times their income levels. The challenges of analyzing secondary data for this topic were primarily that the data collected was

not focused primarily on constitutional reform. Understanding that the purpose of the surveys was to find information about the state issues as a whole, it would be helpful to have asked the same questions of respondents each year and to ensure that respondents had not been contacted in multiple years. Given these potential obstacles, the model compiled all of the information provided to predict the probability that a respondent would vote for a change in the constitution.

Given the information provided through the logistic regression analysis, those who lived in urban areas, those who supported the Democratic Party or were independently affiliated, those who were over sixty-five years of age, and those who primarily earned \$25,000 - \$50,000 annually supported a change in the constitution. This demographic aligns with those who would be aware of the growing concern for changes in the constitution since 2000 because of their geographic location, those who would be aware of the current media campaign regarding constitutional reform, and those who are in the middle income bracket associated with the most benefit to constitutional reform based on a restructure of the tax system.

The surprising information found through the model is that those who are in younger age categories would not be more partial to change in the constitution. As mentioned previously, this could be the result of unavailability of this particular demographic during the times called for a survey response. Younger respondents may not have a landline or would be unwilling to answer a call or give responses. The findings on the geographic areas are not surprising because of the current grassroots campaigns and their locations throughout the state. However, given the benefit of change to those who live in rural areas, a lack of interest may illustrate an absence of understanding of the subject. Finally, the middle income bracket demographic that supported a change may be consistent with findings in the literature of those who would have been the

equivalent to this bracket in previous times who were above the poverty level but aware of needed political changes.

It is difficult to determine if the lack of support for constitutional reform is due to a change in attitudes of Alabamians who may have become tired of the issue or do not see how reform may affect them. Or are citizens simply not interested in the issues surrounding reform or cannot relate to those issues? Further still, has the destruction of the economic downturn in 2008 stopped any movement on this issue? Because the state has not completely recovered from the economic downturn, the majority of Alabamians may want to focus on what they deem to be bigger problems and leave the constitution alone. Many components of the research such as the more pointed questions about the economy in the public opinion surveys and the lack of constitutional reform issues in the House seem to start abruptly in 2008. This suggests a focus on the economy over other issues.

Policy Implications

Through the research on state constitutions provided by Alan Tarr and others, it is possible to determine the path that states follow in making revisions or reform to their constitutions. States make changes to constitutions because of the need to become relevant with the current time. These changes could come in the form of the need for additional citizen participation in decisions of the legislature (CA), to remove policies that were not in accordance with the Civil Rights Act (VA), and to make additions or reductions to the structure of government (FL).

As mentioned previously, Tarr suggests that changes to a constitution occur because of distribution of power issues within a state, a desire to change the scope of the power within a

state's government, and a response to the state's economic activity. These are issues that change within a state as it evolves. Specifically, the framers of state constitutions in the nineteenth century assumed that the constitutions they wrote would be changed to meet the state's current political culture and the needs of the time whether those be economic, political, or socio-economic. Alterations in constitutions across the country have occurred primarily during eras of change within the nation: Reconstruction, Industrial Age, Progressive Era, and Great Depression.

Alabama does not follow the model of thought shared by nineteenth-century constitution framers. Alabama followed the nation in changes in constitutions during those eras but stopped the pattern after the Progressive era. The constitution favors some groups but disadvantages others. While the principles of democracy associated with the document are superseded through federal laws, the tax structure continues to put unnecessary strains on the poor. The excessive earmarking of the budget puts tension on legislators to provide a pattern of growth and sustainability in the state. The lack of insistence for home rule adds unnecessary strain to local governments to implement policies within their own counties.

The most curious part of the lack of evolution in Alabama's Constitution is the Judicial Article revised in 1973. The problem came to light through Chief Justice Howell Heflin who, in coordination with Governor Albert Brewer and others who had been proponents of constitutional reform for many years, identified the cumbersome court process as a first step in revising the constitution. The process to reform the Judicial Article follows two of Kingdon's theories which are agenda setting and policy streams which could be replicated to continue the revision process.

However, the agenda has not been set for significant constitutional reform since 1973. Kingdon gives three possibilities for creating an agenda for change: a crisis or prominent event may create a problem to be solved, the gradual increase of knowledge in a particular policy area

may create a problem, or changes in political processes such as a change in leadership may create a problem which in turn sets the agenda. Constitutional reform seems to have alternatives but not a current charismatic leader, such as Howell Heflin, to ensure that those alternatives make it to an agenda.

This study makes the following five policy recommendations shown in Table 6.3 for Alabama's legislators and grassroots movements to use in developing constitutional change.

Table 6.3 Policy Recommendations

1. Commit to an article-by-article revision of the constitution and continue the process begun in 2011.
 2. Select a political leader to mimic the statewide campaign initiated through the Judicial Article of 1973 to create citizen awareness of the current issue.
 3. Make clear the priorities of change and relate those priorities to the benefit of making a change to Alabamians.
 4. Change the current tax structure of Alabama to rely less on sales tax.
 5. Acquire funding through a federal grant or non-earmarked state funding to provide resources to create the statewide campaign of awareness.
-

This study recommends that the Alabama Legislature continue the article-by-article revision of the current document set forth in 2011. The current process of revision has made little progress but because the process is already in place, it would be more feasible to focus on that avenue for change. Based on the comparative case study contained within this research, Alabama does not have the factors in place as Georgia did in 1983 when they reformed their constitution. Political factors, the time involved to complete a total reform, and the economic factors associated with such a process are not apparent at this time or in the foreseeable future. An article-by-article revision, which is a popular mode for revising an outdated constitution, is recommended.

A statewide campaign is needed to educate Alabamians on the importance of revising the constitution. ACCR is currently working in Central Alabama to educate the public on the

importance of this issue. As shown from the logistic regression model portion of the geographic regional data, those who reside in Central Alabama are more likely to support a change in the constitution. This shows a correlation between ACCR's educational activities and likely support of residents in that area. A statewide campaign in other regions of the state is necessary to make constitutional reform a household term as was the Judicial Article.

To move the constitution to a prominent topic of conversation, a public figure will need to give credence to what ACCR, CSRC, PARCA, representatives from Auburn University, Auburn University at Montgomery, University of South Alabama, and the University of Alabama, among others, are doing to promote the idea of change. Based on this study and the reliance of the content analysis and process tracing conducted in the Judicial Article review, a trusted and influential political figure will need to emerge to convey the importance of this issue to Alabamians. This person will then be able to set the agenda within the legislature.

Within the process of revising the constitution article-by-article is the importance of making clear the priorities for making the revision. Equally important is clearly presenting those priorities to Alabamians to ensure they understand how they may benefit from a change. This study recommends the following priorities: increasing home rule, reform the current tax structure, limit earmarking of the annual state budget, and adhering to principles of democracy within the document to remove racist language and outdated connotations. These recommendations also align with the priorities of the ACCR and other groups/organizations promoting reform of the constitution.

Associated with the third recommendation is reform of the current tax structure to reduce the reliance on sales tax for funding education. In addition, lowering the sales tax in general and removing it on necessities is recommended. Educating Alabamians on the alternative ways to

fund the educational budget and general fund is essential to making this important change. Alternatives to continuing the current tax structure may be an increase in the property taxes which would require that this portion of the constitution be revised given that the tax structure is a state law.

It is recommended that the sales tax be lowered and selected necessities be waived from requiring sales tax given the regressive nature of this type of tax and the unnecessary burden it puts on underprivileged citizens of the state. This policy recommendation is consistent with what other states have done to create a more progressive economy within their state. A key factor for success will be education of the public on the alternatives and the personal benefits of making a reform to the tax structure.

A final recommendation is to acquire funding either at the state or federal level to have resources available for both awareness activities and implementation, if applicable, of the message and revision. The Constitutional Revision Commission appointed in 1969 had a reasonable budget from which to research and to make recommendations.

The funding made available for the Constitutional Commission in 1969 was available through a federal grant given to states seeking changes in their constitutions. Additionally because of the movement throughout the nation for court reform it is possible that some funding was available for implementation of the Judicial Article. Alabama should seek reserve funding to cover costs associated with this project. This type of funding is necessary to ensure that resources are available.

Based on the results of this study using the data collected through public opinion polls conducted throughout the state, Alabamians are in favor of a rewrite or revision of the 1901 constitution. Using the data collected through the comparative case study between Alabama and

Georgia, as well as through a portion of the study between Alabama and South Carolina, revision and reform can be achieved in Deep South states. This study suggests that interest groups in Alabama seek to continually block bills in the legislature that may allow the issue to move to a vote of the people.

Future Research

This study provides an understanding of the issues surrounding continuous use of the 1901 constitution through a comparative case study with two Deep South states, the content analysis and process tracing of the Judicial Article, and an analysis of data already collected through telephone surveys by two research groups of distinction within the state. What this research does that other research had not done previously is to pull those three key pieces together to make recommendations on how to move this issue forward.

Future research recommendations are to study the barriers in the legislature in moving bills focused on constitutional reform forward. This study focused on previous activity in the legislature in 1973 and public opinion findings from Alabamians over a ten-year span. Findings from those two areas point to the legislature as the next group on which to focus a study and to seek to find out why constitutional change loses momentum in Montgomery.

The possibility of exploring interest group interference will likely be tied to the legislature's lack of movement with the issue and merits investigation as well. Interest group influence was mentioned throughout the study as it affected the Judicial Article review, and inferences may be made that it affected the Legislative activity section of this research. Because the leveraging ability of interest groups was not fully explored during this study further study is needed. Much is said about interest group involvement through newspaper articles, editorials,

and word-of-mouth, but it would be helpful to have more data on their involvement in constitutional reform to make a conclusion concerning their involvement.

A final recommendation for future research is to conduct a statewide survey dedicated solely to constitutional reform. This survey could include similar questions asked by CSRC with limited questions that do not pertain to constitutional reform. Although random digit dialing is a trusted method to contact participants in this type of survey, utilization of social media, civic groups, and educational institutional participation would provide a broader response base. All findings should be compared to this research which serves as a foundational basis for future constitutional reform research in the state.

Conclusion

Reforming or revising the 1901 constitution has been a topic of discussion since shortly after the document was ratified. Although many opinion pieces have been published and surveys have been taken on the political climate of the issue within Alabama, no known study has been conducted to determine why constitutional efforts continue to fail. The purpose of this study was to explore that question. While determining a final answer to the issue would have been ideal, that was not the intention of this research.

This study reviewed the history of Alabama and other Deep South states as they have attempted to make changes to their constitutions. This study also analyzed data from public opinion survey polls that had been compiled over the last ten years. These data points allowed this study to make generalizations about why those who are currently involved in the reform effort continue to meet road blocks as they attempt to promote the issue.

Additionally, this study made recommendations for ways in which the state could pursue constitutional revision based on its history and on current opinions. These recommendations are by no means easy to accomplish in the political climate of Alabama, but they are steps that can be taken based on research and in some circumstances yield success. This research also provides future research opportunities to involve data collection from additional parties that may shed light on the hindrances to reform.

Constitutional reform in Alabama is an emotional issue for a variety of reasons among different groups. This research acknowledges that many groups and individuals have dedicated numerous hours to this issue and offers a starting point for a renewed dialogue in pursuing the issue. It is the hope of this researcher that a new dialogue will generate the potential to create new options to the issues and ultimately to set an agenda by which to implement the policy.

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Appendixes

A.1: The Council of State Governments (CGS) Snapshot of the U.S. Constitutions

THE COUNCIL OF STATE GOVERNMENTS THE MANUSCRIPT OF THE STATES 2012 State Constitutions Table 1.1 General Information on State Constitutions (As of January 1, 2012)						
State or other jurisdiction	Number of Constitutions*	Dates of adoption	Effective date of present constitution	Estimated length (number of words)**	Amendments submitted to voters	Adopted
Alabama	6	1819, 1861, 1865, 1868, 1875, 1901	Nov. 28, 1901	376,006 (a)	1,180	855 (c)
Alaska	1	1956	Jan. 3, 1959	13,479	42	29
Arizona	1	1911	Feb. 14, 1912	47,306	266	147
Arkansas	5	1836, 1861, 1864, 1868, 1874	Oct. 30, 1874	59,120	196	98 (d)
California	2	1849, 1879	July 4, 1879	67,048	891	525
Colorado	1	1876	Aug. 1, 1876	66,140	336	155
Connecticut	4	1818 (f), 1965	Dec. 30, 1965	16,401	31	30
Delaware	4	1776, 1792, 1831, 1897	June 10, 1897	25,445	(e)	142
Florida	6	1839, 1861, 1865, 1868, 1886, 1968	Jan. 7, 1969	56,705	154	118
Georgia	10	1777, 1789, 1798, 1861, 1865, 1868, 1877, 1945, 1976, 1982	July 1, 1983	41,684	94 (g)	71 (g)
Hawaii	1 (h)	1950	Aug. 21, 1959	21,498	131	110
Idaho	1	1889	July 3, 1890	24,626	210	123
Illinois	4	1818, 1848, 1870, 1970	July 1, 1971	16,401	18	12
Indiana	2	1816, 1851	Nov. 1, 1851	11,476	79	47
Iowa	2	1846, 1857	Sept. 3, 1857	11,089	59	54 (i)
Kansas	1	1859	Jan. 29, 1861	14,097	125	95 (i)
Kentucky	4	1792, 1799, 1850, 1891	Sept. 28, 1891	27,234	75	41
Louisiana	11	1812, 1845, 1852, 1861, 1864, 1868, 1879, 1898, 1913, 1921, 1974	Jan. 1, 1975	69,876	239	168
Maine	1	1819	March 15, 1820	16,313	205	172 (j)
Maryland	4	1776, 1851, 1864, 1867	Oct. 5, 1867	43,198	261	225 (k)

Massachusetts	1	1780	Oct. 25, 1780	45,283 (l)	148	120
Michigan	4	1835, 1850, 1908, 1963	Jan. 1, 1964	31,164	68	30
Minnesota	1	1857	May 11, 1858	11,734	215	120
Mississippi	4	1817, 1832, 1869, 1890	Nov. 1, 1890	26,229	161	125
Missouri	4	1820, 1865, 1875, 1945	March 30, 1945	69,394	175	114
Montana	2	1889, 1972	July 1, 1973	12,790	56	31
Nebraska	2	1866, 1875	Oct. 12, 1875	34,934	350 (m)	228 (m)
Nevada	1	1864	Oct. 31, 1864	37,418	232	136
New Hampshire	2	1776, 1784	June 2, 1784	13,060	287 (n)	145
New Jersey	3	1776, 1844, 1947	Jan. 1, 1948	26,360	80	45
New Mexico	1	1911	Jan. 6, 1912	33,198	293 (y)	160 (y)
New York	4	1777, 1822, 1846, 1894	Jan. 1, 1895	44,397	295	220
North Carolina	3	1776, 1868, 1970	July 1, 1971	17,177	37	30
North Dakota	1	1889	Nov. 2, 1889	18,746	265	150 (o)
Ohio	2	1802, 1851	Sept. 1, 1851	53,239	286	172
Oklahoma	1	1907	Nov. 16, 1907	81,666	354 (p)	187 (p)
Oregon	1	1857	Feb. 14, 1859	49,016	490 (q)	249 (q)
Pennsylvania	5	1776, 1790, 1838, 1873, 1968 (r)	1968 (r)	26,078	36 (r)	30 (r)
Rhode Island	3	1842 (f) 1986 (s)	Dec. 4, 1986	11,407	12 (s)	10 (s)
South Carolina	7	1776, 1778, 1790, 1861, 1865, 1868, 1895	Jan. 1, 1896	27,421	686 (t)	497 (t)
South Dakota	1	1889	Nov. 2, 1889	27,774	229	215
Tennessee	3	1796, 1835, 1870	Feb. 23, 1870	13,960	62	39
Texas	5 (u)	1845, 1861, 1866, 1869, 1876	Feb. 15, 1876	86,936	652 (v)	474
Utah	1	1895	Jan. 4, 1896	17,849	167	115
Vermont	3	1777, 1786, 1793	July 9, 1793	8565	212	54
Virginia	6	1776, 1830, 1851, 1869, 1902, 1970	July 1, 1971	21,899	54	46
Washington	1	1889	Nov. 11, 1889	32,578	178	105
West Virginia	2	1863, 1872	April 9, 1872	33,324	121	71
Wisconsin	1	1848	May 29, 1848	15,102	194	145 (i)
Wyoming	1	1889	July 10, 1890	26,349	125	98
American Samoa	2	1960, 1967	July 1, 1967	6,000	15	7
No. Mariana Islands	1	1977	Jan. 9, 1978	11,000	60	56 (w)(x)
Puerto Rico	1	1952	July 25, 1952	9,281	6	6

A.2 National News Quotations: Judicial Article 1973

- “Today the State of Alabama has achieved a sweeping judicial reform; the state judiciary is now a model. The credit goes largely to Chief Justice Howell Heflin.” (*The Houston Post*, May 24, 1975)
- “The prime mover in this accomplishment was Alabama’s Chief Justice, the gigantic Howell Heflin.” (Russell Kirk, conservative newspaper columnist, May 1975)
- “For the first time in history, there is a part of the Alabama state government that can be called a model for the rest of the nation.” (Neal R. Peirce, syndicated writer, May 1975)

A.3 Southeast Research, Inc.: Mar 2001 Survey

Table 1-A

Do you generally feel the state of Alabama is going in the right direction or do you feel we're going in the wrong direction?

	PARTY				RACE				TOTAL
	Demo.	Repub.	Indep.	NA	White	Black	Other	NA	
DIRECTION Right direction	43.9%	42.6%	29.2%	27.3%	38.7%	45.6%	30.8%		39.5%
Wrong direction Not Sure	35.0%	44.9%	46.9%	36.4%	42.1%	35.3%	53.8%		41.3%
TOTAL n =	21.0%	12.5%	24.0%	36.4%	19.2%	19.1%	15.4%	100.0%	19.3%
% of Total	157	136	96	11	318	68	13	1	400
	39.3%	34.0%	24.0%	2.8%	79.5%	17.0%	3.3%	.3%	100.0%

Table 1-B

Do you generally feel the state of Alabama is going in the right direction or do you feel we're going in the wrong direction?

	INCOME						GENDER		TOTAL
	Below	\$15,000 to	\$30,000 to	\$45,000 to	Above	NA	Male	Female	
DIRECTION Right direction	29.1%	39.3%	54.1%	41.9%	41.1%	27.1%	39.6%	39.4%	39.5%
Wrong direction Not Sure	45.5%	45.2%	37.7%	43.5%	37.8%	37.5%	41.1%	41.3%	41.3%
TOTAL n =	25.5%	15.5%	8.2%	14.5%	21.1%	35.4%	19.3%	19.2%	19.3%
% of Total	55	84	61	62	90	48	192	208	400
	13.8%	21.0%	15.3%	15.5%	22.5%	12.0%	48.0%	52.0%	100.0%

A.3 Southeast Research, Inc.: Mar 2001 Survey

Table 1-C

Do you generally feel the state of Alabama is going in the right direction or do you feel we're going in the wrong direction?

	REGION			AGE					TOTAL
	North	Central	South	18 - 29	30 - 39	40 - 49	50 - 59	60 and	
DIRECTION Right direction	38.5%	42.8%	36.8%	46.2%	49.2%	41.2%	30.7%	36.4%	39.5%
Wrong direction Not Sure	43.3%	38.2%	43.1%	48.1%	42.4%	42.4%	49.3%	32.6%	41.3%
TOTAL n =	18.3%	19.1%	20.1%	5.8%	8.5%	16.5%	20.0%	31.0%	19.3%
% of Total	104	152	144	52	59	85	75	129	400
	26.0%	38.0%	36.0%	13.0%	14.8%	21.3%	18.8%	32.3%	100.0%

Table 2-A

How familiar are you with the issue of constitutional reform in Alabama? Would you say that you are very familiar, somewhat familiar, or know nothing about constitutional reform?

	PARTY				RACE				TOTAL
	Demo.	Repub.	Indep.	NA	White	Black	Other	NA	
FAMILIAR Very familiar	7.6%	10.3%	11.5%	18.2%	9.1%	11.8%	15.4%		9.8%
WITH Somewhat familiar	41.4%	52.9%	46.9%	45.5%	46.5%	50.0%	30.8%	100.0%	46.8%
ISSUE Know nothing	50.3%	36.8%	41.7%	36.4%	44.0%	38.2%	53.8%		43.3%
Not Sure	.6%				.3%				.3%
TOTAL n =	157	136	96	11	318	68	13	1	400
% of Total	39.3%	34.0%	24.0%	2.8%	79.5%	17.0%	3.3%	.3%	100.0%

A.3 Southeast Research, Inc.: Mar 2001 Survey

Table 2-B

How familiar are you with the issue of constitutional reform in Alabama? Would you say that you are very familiar, somewhat familiar, or know nothing about constitutional reform?

	INCOME						GENDER		TOTAL
	Below	\$15,000 to	\$30,000 to	\$45,000 to	Above	NA	Male	Female	
FAMILIAR WITH ISSUE									
Very familiar	7.3%	3.6%	9.8%	6.5%	16.7%	14.6%	12.5%	7.2%	9.8%
Somewhat familiar	45.5%	45.2%	45.9%	48.4%	51.1%	41.7%	48.4%	45.2%	46.8%
Know nothing	47.3%	50.0%	44.3%	45.2%	32.2%	43.8%	39.1%	47.1%	43.3%
Not Sure		1.2%						.5%	.3%
TOTAL n =	55	84	61	62	90	48	192	208	400
% of Total	13.8%	21.0%	15.3%	15.5%	22.5%	12.0%	48.0%	52.0%	100.0%

Table 2-C

How familiar are you with the issue of constitutional reform in Alabama? Would you say that you are very familiar, somewhat familiar, or know nothing about constitutional reform?

	REGION			AGE					TOTAL
	North	Central	South	18 - 29	30 - 39	40 - 49	50 - 59	60 and	
FAMILIAR WITH ISSUE									
Very familiar	8.7%	9.9%	10.4%	9.6%	5.1%	11.8%	9.3%	10.9%	9.8%
Somewhat familiar	44.2%	51.3%	43.8%	48.1%	59.3%	48.2%	49.3%	38.0%	46.8%
Know nothing	47.1%	38.8%	45.1%	42.3%	35.6%	40.0%	40.0%	51.2%	43.3%
Not Sure			.7%				1.3%		.3%
TOTAL n =	104	152	144	52	59	85	75	129	400
% of Total	26.0%	38.0%	36.0%	13.0%	14.8%	21.3%	18.8%	32.3%	100.0%

A.3 Southeast Research, Inc.: Mar 2001 Survey

Table 3-A

Some groups are calling for a total rewrite of Alabama's 1901 constitution. How important do you feel it is that such a rewrite be undertaken? Is it very important, somewhat important, only a little important or not important at all that the state's constitution be rewritten?

	PARTY				RACE				TOTAL
	Demo.	Repub.	Indep.	NA	White	Black	Other	NA	
REWRITE Very important	37.6%	27.2%	38.5%	36.4%	29.6%	52.9%	53.8%		34.3%
Somewhat important A little important	25.5%	26.5%	25.0%	9.1%	27.0%	20.6%	7.7%		25.3%
Not important at all	10.8%	14.0%	8.3%		11.6%	10.3%			11.0%
Not Sure	12.1%	22.8%	14.6%	54.5%	18.9%	7.4%	30.8%	100.0%	17.5%
TOTAL n =	14.0%	9.6%	13.5%		12.9%	8.8%	7.7%		12.0%
% of Total	157	136	96	11	318	68	13	1	400
	39.3%	34.0%	24.0%	2.8%	79.5%	17.0%	3.3%	.3%	100.0%

A.3 Southeast Research, Inc.: Mar 2001 Survey

Table 3-B

Some groups are calling for a total rewrite of Alabama's 1901 constitution. How important do you feel it is that such a rewrite be undertaken? Is it very important, somewhat important, only a little important or not important at all that the state's constitution be rewritten?

	INCOME						GENDER		TOTAL
	Below	\$15,000 to	\$30,000 to	\$45,000 to	Above	NA	Male	Female	
REWRITE Very important	25.5%	27.4%	41.0%	27.4%	41.1%	43.8%	40.6%	28.4%	34.3%
Somewhat important	20.0%	27.4%	31.1%	27.4%	24.4%	18.8%	21.4%	28.8%	25.3%
A little important	12.7%	15.5%	1.6%	17.7%	8.9%	8.3%	8.9%	13.0%	11.0%
Not important at all	20.0%	20.2%	21.3%	8.1%	16.7%	18.8%	19.3%	15.9%	17.5%
Not Sure	21.8%	9.5%	4.9%	19.4%	8.9%	10.4%	9.9%	13.9%	12.0%
TOTAL n =	55	84	61	62	90	48	192	208	400
% of Total	13.8%	21.0%	15.3%	15.5%	22.5%	12.0%	48.0%	52.0%	100.0%

Table 3-C

Some groups are calling for a total rewrite of Alabama's 1901 constitution. How important do you feel it is that such a rewrite be undertaken? Is it very important, somewhat important, only a little important or not important at all that the state's constitution be rewritten?

	REGION			AGE					TOTAL
	North	Central	South	18 - 29	30 - 39	40 - 49	50 - 59	60 and	
REWRITE Very important	29.8%	39.5%	31.9%	26.9%	28.8%	38.8%	38.7%	34.1%	34.3%
Somewhat important	24.0%	25.0%	26.4%	38.5%	27.1%	20.0%	26.7%	21.7%	25.3%
A little important	13.5%	11.2%	9.0%	11.5%	16.9%	11.8%	6.7%	10.1%	11.0%
Not important at all	23.1%	15.1%	16.0%	15.4%	20.3%	12.9%	18.7%	19.4%	17.5%
Not Sure	9.6%	9.2%	16.7%	7.7%	6.8%	16.5%	9.3%	14.7%	12.0%
TOTAL n =	104	152	144	52	59	85	75	129	400
% of Total	26.0%	38.0%	36.0%	13.0%	14.8%	21.3%	18.8%	32.3%	100.0%

A.3 Southeast Research, Inc.: Mar 2001 Survey

Table 4-A

There are basically two ways that the Alabama constitution can be rewritten. One method involves the legislature rewriting the constitution and submitting it to a vote of the people. Another method would require the election of a constitutional commission that would bring people from all over the state together in a constitutional convention to rewrite the constitution. In either case it would take a vote of the people to finally adopt the constitution. Which method do you think would be better?

	PARTY				RACE				TOTAL
	Demo.	Repub.	Indep.	NA	White	Black	Other	NA	
METHOD OF A constitutional convention	57.3%	65.4%	59.4%	54.5%	64.2%	45.6%	46.2%	100.0%	60.5%
REWRITE The Alabama legislature	34.4%	27.9%	28.1%	27.3%	26.7%	45.6%	46.2%		30.5%
Not Sure	8.3%	6.6%	12.5%	18.2%	9.1%	8.8%	7.7%		9.0%
TOTAL n =	157	136	96	11	318	68	13	1	400
% of Total	39.3%	34.0%	24.0%	2.8%	79.5%	17.0%	3.3%	.3%	100.0%

Table 4-B

There are basically two ways that the Alabama constitution can be rewritten. One method involves the legislature rewriting the constitution and submitting it to a vote of the people. Another method would require the election of a constitutional commission that would bring people from all over the state together in a constitutional convention to rewrite the constitution. In either case it would take a vote of the people to finally adopt the constitution. Which method do you think would be better?

	INCOME						GENDER		TOTAL
	Below	\$15,000 to	\$30,000 to	\$45,000 to	Above	NA	Male	Female	
METHOD OF A constitutional convention	49.1%	61.9%	65.6%	64.5%	62.2%	56.3%	68.2%	53.4%	60.5%
REWRITE The Alabama legislature	29.1%	33.3%	32.8%	29.0%	32.2%	22.9%	22.9%	37.5%	30.5%
Not Sure	21.8%	4.8%	1.6%	6.5%	5.6%	20.8%	8.9%	9.1%	9.0%
TOTAL n =	55	84	61	62	90	48	192	208	400
% of Total	13.8%	21.0%	15.3%	15.5%	22.5%	12.0%	48.0%	52.0%	100.0

A.3 Southeast Research, Inc.: Mar 2001 Survey

Table 4-C

There are basically two ways that the Alabama constitution can be rewritten. One method involves the legislature rewriting the constitution and submitting it to a vote of the people. Another method would require the election of a constitutional commission that would bring people from all over the state together in a constitutional convention to rewrite the constitution. In either case it would take a vote of the people to finally adopt the constitution. Which method do you think would be better?

	REGION			AGE					TOTAL
	North	Central	South	18 - 29	30 - 39	40 - 49	50 - 59	60 and	
METHOD OF A constitutional convention	57.7%	62.5%	60.4%	55.8%	66.1%	68.2%	62.7%	53.5%	60.5%
REWRITE The Alabama legislature	30.8%	30.3%	30.6%	42.3%	30.5%	27.1%	25.3%	31.0%	30.5%
Not Sure	11.5%	7.2%	9.0%	1.9%	3.4%	4.7%	12.0%	15.5%	9.0%
TOTAL n =	104	152	144	52	59	85	75	129	400
% of Total	26.0%	38.0%	36.0%	13.0%	14.8%	21.3%	18.8%	32.3%	100.0%

Table 5-A

Do you personally support having _____ rewrite Alabama's constitution?

	METHOD OF REWRITE		TOTAL
	A constitutional	The Alabama	
SUPPORT Yes	75.2%	76.2%	75.5%
No	14.5%	13.9%	14.3%
Not Sure	10.3%	9.8%	10.2%
TOTAL n =	242	122	364
% of Total	66.5%	33.5%	100.0%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

Capital Survey Research Center

2002 GENERAL ELECTION SURVEY
July 9-22, 2002

616 +/- Registered and Likely Voters
SME +/- 4.0%

Now I have some brief questions about issues facing the state.

1. What do you think is the major problem facing the state that you would like the next Governor to solve?

Education (Reform / Funding)	294	39%
Economy / Budget	61	8%
Unemployment / Jobs	55	7%
Health Care	27	4%
Pro Lottery	27	4%
CONSTITUTION	25	3%
Tax Reform / No New Taxes	24	3%
Roads / Bridges	21	3%
Reduce Government / Corruption	20	3%
Crime / Prisons / Drugs	17	2%
Increase Taxes	15	2%
Anti Lottery	14	2%
(29 other items less than 2%)		

2. Do you believe that public schools need additional funding?

1 Yes	483	78.4%
2 No	103	16.7%
3 Don't Know / No Reply / Other	30	4.9%

3. Most tax revenues in Alabama are designated or earmarked for specific uses. For example, most sales taxes and income taxes are earmarked for public education, including K-12 schools and colleges

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

and universities. Gasoline taxes are earmarked for road and bridge construction. Would you be more or less likely to vote for a candidate for governor who supports un-earmarking taxes and leaving the decision how tax money is to be spent up to the legislature? Would you be:

1 Much more likely to vote for	26	4.2%
2 More likely to vote for	137	22.2%
3 Less likely to vote for	274	44.5%
4 Much less likely to vote for	85	13.8%
5 Don't Know / No Reply / Other	94	15.3%

4. Proposals have been made to provide vouchers or public funds to parents of school children to send their child to a private or religious school. If vouchers would reduce the amount of money going to public schools, would you be more or less likely to vote for a candidate for governor who supports vouchers? Would you be:

1 Much more likely to vote for	52	8.4%
2 More likely to vote for	133	21.6%
3 Less likely to vote for	280	45.5%
4 Much less likely to vote for	88	14.3%
5 Don't Know / No Reply / Other	63	10.2%

5. Proposals have been made to use public school funds to establish a kind of public funded private school called charter schools. If charter schools would reduce the amount of money going to public schools, would you be more or less likely to vote for a candidate for governor who supports charter schools? Would you be:

1 Much more likely to vote for	28	4.5%
2 More likely to vote for	92	14.9%
3 Less likely to vote for	315	51.1%
4 Much less likely to vote for	85	13.8%
5 Don't Know / No Reply / Other	96	15.6%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

6. If the state has extra money, should the Legislature and the Governor allocate the money to:

1 Public Schools	495	80.4%
2 Private or Church Schools	45	7.3%
3 Don't Know / No Reply / Other	76	12.3%

7. Proposals have been made to eliminate tenure for public school teachers. Tenure provides due process rights for teachers. Due process means that a teacher, for example, must be told why he or she is being terminated and allowed to make a defense against the charges. Would you be more or less likely to vote for a candidate for governor who supports eliminating tenure for teachers? Would you be:

1 Much more likely to vote for	53	8.6%
2 More likely to vote for	141	22.9%
3 Less likely to vote for	260	42.2%
4 Much less likely to vote for	101	16.4%
5 Don't Know / No Reply / Other	61	9.9%

8. Proposals have been made to have an education lottery in Alabama to help fund public schools. Would you be more or less likely to vote for a candidate for governor who supports an education lottery? Would you be:

1 Much more likely to vote for	108	17.5%
2 More likely to vote for	210	34.1%
3 Less likely to vote for	159	25.8%
4 Much less likely to vote for	105	17.0%
5 Don't Know / No Reply / Other	34	5.5%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

9. If Alabama had an education lottery, do you believe the lottery would:

1 Meet most of the funding needs of public education	192	31.2%
2 Meet only some of the funding needs of public education	254	41.2%
3 Not meet the funding needs of public education	134	21.8%
4 Don't Know / No Reply / Other	36	5.8%

10. The Alabama Superintendent of Education and the State Board of Education have stated that Alabama public schools would need an additional 750 million dollars a year to equal the average per pupil expenditures of the bottom six southern states and would need 1.4 billion additional dollars to provide an adequate education for all students. Do you support or oppose increasing education taxes to at least equal the lowest southeastern states in order to better fund public schools?

1 Support increase in education taxes	332	53.9%
2 Oppose increase in education taxes	226	36.7%
3 Don't Know / No Reply / Other	58	9.4%

11. Which of the following would you personally support the most to provide additional funds for public schools?

1 Education Lottery	112	18.2%
2 Increase taxes	46	7.5%
3 Make better use of existing funds	249	40.4%
4 A combination of lottery, taxes, and existing funds	186	30.2%
5 Don't Know / No Reply / Other	23	3.7%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

Please tell me if you support or oppose each of the following proposals concerning public education reform.

12. A CONSTITUTIONAL AMENDMENT to make public education a right to assure that the state has the responsibility to provide an equitable and adequate public education for all Alabama children.

1 Strongly Support	203	33.0%
2 Support	329	53.4%
3 Oppose	42	6.8%
4 Strongly Oppose	10	1.6%
5 Don't Know / No Reply / Other	32	5.2%

13. A law giving teachers appropriate and sufficient authority to discipline students in the classroom.

1 Strongly Support	245	39.8%
2 Support	277	45.0%
3 Oppose	41	6.7%
4 Strongly Oppose	18	2.9%
5 Don't Know / No Reply / Other	35	5.7%

14. A law providing a required Continuing Teacher Training Program for all public school teachers.

1 Strongly Support	187	30.4%
2 Support	374	60.7%
3 Oppose	27	4.4%
4 Strongly Oppose	6	1.0%
5 Don't Know / No Reply / Other	22	3.6%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

15. To better use public education funds, a law requiring that all education revenues are spent only on public education.

1 Strongly Support	197	32.0%
2 Support	317	51.5%
3 Oppose	60	9.7%
4 Strongly Oppose	13	2.1%
5 Don't Know / No Reply / Other	29	4.7%

16. To increase public education funds, a CONSTITUTIONAL AMENDMENT removing education sales tax exemptions on selected items.

1 Strongly Support	40	6.5%
2 Support	239	38.8%
3 Oppose	182	29.5%
4 Strongly Oppose	21	3.4%
5 Don't Know / No Reply / Other	134	21.8%

17. To better use public education funds, a Governing Board of Regents for colleges and universities to provide financial accountability through coordination and consolidation of higher education programs.

1 Strongly Support	96	15.6%
2 Support	382	62.0%
3 Oppose	61	9.9%
4 Strongly Oppose	9	1.5%
5 Don't Know / No Reply / Other	68	11.0%

18. To assure better use of education funds, strengthen requirements for more efficient management of bids on state contracts.

1 Strongly Support	156	25.3%
2 Support	364	59.1%
3 Oppose	32	5.2%
4 Strongly Oppose	11	1.8%
5 Don't Know / No Reply / Other	53	8.6%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

19. To increase and equalize public education funds, a CONSTITUTIONAL AMENDMENT to require a minimum education property tax millage for all counties.

1 Strongly Support	80	13.0%
2 Support	281	45.6%
3 Oppose	149	24.2%
4 Strongly Oppose	46	7.5%
5 Don't Know / No Reply / Other	60	9.7%

20. To increase public education funds and make education taxes more fair, reform the Alabama tax system.

1 Strongly Support	131	21.3%
2 Support	327	53.1%
3 Oppose	63	10.2%
4 Strongly Oppose	22	3.6%
5 Don't Know / No Reply / Other	73	11.9%

21. If a candidate for public office were supported by big corporations, would that make you:

1 Much more likely to vote for the candidate	12	3.6%
2 More likely to vote for the candidate	50	14.8%
3 Less likely to vote for the candidate	139	41.2%
4 Much less likely to vote for the candidate	34	10.1%
5 Don't Know / No Reply / Other	102	30.3%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

Capital Survey Research Center

.
. 2002 PRIMARY ELECTION SURVEY II (01040)
. January 9-23, 2002
. .
. 520 Registered and Likely Voters
. SME +/- 4.3% (Full Sample)
. SME +/- 6.2% (Sub-Sample)
.

51G. Governor Siegelman(SEE-GULL-MAN), a Democrat, and Lt. Governor Windom, a Republican, have both proposed a Constitutional Convention to write a new constitution for Alabama. Do you believe a new constitution is needed to solve the problems of Alabama?

1 Yes	289	55.6%
2 No	164	31.5%
3 Don't Know / No Reply / Other (DO NOT READ)	67	12.9%

51H. If a new constitution for Alabama is written, who do you think should develop a new constitution that would be submitted to the people for their approval?

1 Constitutional Convention of elected delegates	290	55.8%
2 Legislature	140	26.9%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

LEGISLATIVE ISSUES SURVEY

443 Registered and Likely Voters
November 19 - December 3, 2001
SME +/- 4.6%

Capital Survey Research Center

"Can you tell me anything the Legislature should have done over the past four years that would have been good for you or your family?"

SCHOOLS / EDUCATION	17%
NOTHING	15%
LOTTERY	8%
LOW TAXES	5%
TEACHER'S SALARY	4%
CONSTITUTIONAL REFORM	4%
HOME RULE	3%
INDUSTRY / JOBS	3%
PRAYER IN SCHOOLS	2%
HANDICAPPED PROGRAMS	2%
SENIOR CITIZENS	2%
NO SPECIAL SESSIONS	2%
HOUSING	2%
TAX REFORM	2%
ACCOUNTABILITY OF FUNDS	2%
DON'T KNOW / OTHER	24%

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

"PRIORITY OF LEGISLATIVE ISSUES"

Voters were asked which of five legislative issues was most important for the Legislature to address.

LEGISLATIVE PRIORITIES

FUNDING EDUCATION	56%
TAX REFORM	14%
CONSTITUTION REFORM	11%
ANTI-ABORTION LAW	8%
ELECTION REFORM	7%

Capital Survey Research Center

2001 STATE OF THE STATE SURVEY II

591 Registered and Likely Voters

October 1-9, 2001

SME +/- 4.0% (Full Sample)

SME +/- 6.2% (Sub Sample)

19.-25. I want to know how you feel about some issues and proposals that may be considered in the next session of the Alabama Legislature. On a scale of 1 to 5, with 5 being the strongest support and 1 being do not support, please tell me how strongly you support each of the following proposals.

Tax reform to create a more fair tax system	4.05
Tax reform to provide adequate funding for public education	3.97

A.4 CSRC: July 2002, Jan 2002, Nov-Dec 2001, Oct 2001 Surveys

Tax reform to provide adequate funding for the General Fund for prisons, state troopers, mental health, children's services, and related programs	3.52
CONSTITUTIONAL REFORM to allow for "home rule" for local county	3.50
Increase in corporation income taxes to fund public schools	3.39
Constitution reform to modernize the 1901 constitution	3.37
Constitutional reform to provide for the "initiative" and "referendum" that would allow citizens to propose, vote on, and enact legislation without it going through the Legislature	2.90

26. I want to list five items that the Legislature may consider this year. Please tell me which of these five you think is most important for the Legislature to address.

1 Tax Reform	97	16%
2 Constitution Reform	65	11%
3 Arbitration Laws	24	4%
4 Campaign Finance Reform	27	5%
5 Funding public education	359	61%
6 Don't Know / No Reply / Other	19	3%

A.5 Capital Survey Research Center: Nov 2002 Survey

Capital Survey Research Center

2002 PUBLIC POLICY & LEGISLATIVE ISSUES SURVEY
 606 Registered Voters
 November 13-20, 2002

I want to read a list of issues or proposals that may be considered by the next Governor and Legislature. Please tell me if you support or oppose each issue or proposal.

- Tax reform to create a more fair tax system

Strongly Support	140	23.1%
Support	353	58.3%
Oppose	55	9.1%
Strongly Oppose	7	1.2%
Don't Know / No Reply / Other	51	8.4%

- Tax reform to increase revenues for the General Fund for prisons, highways, public safety, health and related programs

Strongly Support	41	6.8%
Support	322	53.1%
Oppose	168	27.7%
Strongly Oppose	21	3.5%
Don't Know / No Reply / Other	54	8.9%

- Tax reform to increase revenues for education

Strongly Support	91	15.0%
Support	326	53.8%
Oppose	139	22.9%
Strongly Oppose	24	4.0%
Don't Know / No Reply / Other	26	4.3%

- Constitution reform

Strongly Support	88	14.5%
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A.5 Capital Survey Research Center: Nov 2002 Survey

Support	280	46.2%
Oppose	136	22.4%
Strongly Oppose	23	3.8%
Don't Know / No Reply / Other	79	13.0%

- Constitution Convention of delegates elected by the people to write a new constitution for a vote of the people

Strongly Support	63	10.4%
Support	325	53.6%
Oppose	136	22.4%
Strongly Oppose	29	4.8%
Don't Know / No Reply / Other	53	8.7%

- Constitutional amendment to allow for "home rule" for local county and city governments to decide local matters including raising taxes for public schools and other programs without requiring an act of the Legislature.

Strongly Support	62	10.2%
Support	264	43.6%
Oppose	209	34.5%
Strongly Oppose	33	5.4%
Don't Know / No Reply / Other	38	6.3%

A.6 CSRC: May, Jan-Feb 2004 Survey

Capital Survey Research Center

2004 ALABAMA POLITICAL LANDSCAPE SURVEY (TOTAL)

May 4-6, 17-20, 2004
785 Registered and Likely Voters
SME Total +/- 3.5%

1. What do you think is the major problem or issue facing Alabama that the governor needs to address?

Education / Funding Education	282	32%
Accountability	78	9%
Budget / Funding	76	9%
Constitution Reform	56	6%
Corporations Paying Taxes	51	6%
Crime / Drugs	24	3%
Cut Higher Salary State Employees	23	3%
Dirty Laundry	20	2%
Disabled Children	20	2%
Economy	19	2%
Elderly Issues	16	2%
Fair Law Enforcement for African Americans	15	2%
Family Values	12	1%
Food Prices	9	1%
Gas Prices	6	1%
Gay Marriages	5	1%
Governor / Legislature Gridlock	5	1%
Healthcare / Medicaid Issues	5	1%
Highways / Roads / Transportation	4	0%
Immigration	4	0%
Insurance for the Elderly	2	0%
Legislature	2	0%
Passing Lottery/ Gambling	2	0%
Politics	2	0%

A.6 CSRC: May, Jan-Feb 2004 Survey

Prayer Back in Schools	2	0%
Racism	2	0%
Smoking in Public Places	2	0%
Taxes	2	0%
Teacher Accountability	1	0%
Teacher Retirement / Salary	1	0%
Tourism and Travel	1	0%
Unemployment / Low Wages / Jobs	1	0%
War in Iraq	1	0%
Wasteful Spending	1	0%
Don't Know / No Reply / Other	134	15%
Total	886	

A.6 CSRC: May, Jan-Feb 2004 Survey

45. Would you be willing to sign a petition that would allow a vote on a new constitution written by a constitutional convention of delegates elected by the people?

Yes	431	54.9%
No	220	28.0%
Don't Know / No Reply / Other	134	17.1%

2004 GOVERNOR PRE-ELECTION SURVEY

733 Registered and Likely Voters

SME +/- 3.6%

January 15 - February 3, 2004

19. How important is it that the governor of Alabama reform the Alabama constitution?

Very important	236	32.2%
Important	201	27.4%
Not very important	127	17.3%
Not important	99	13.5%
Don't Know / No Reply / Other	70	9.5%
Total Qualified	733	100.0%

20. Do you believe Governor Bob Riley has been successful in reforming the Alabama Constitution?

	Frequency	Percent
Yes	116	15.8%
No	463	63.2%
Don't Know / No Reply / Other	154	21.0%
Total Qualified	733	100.0%

34. If a candidate for governor runs on a platform of constitution reform, would that make you:

Absolutely vote for that candidate	38	5.2%
More likely to vote for that candidate	263	35.9%
Less likely to vote for that candidate	195	26.6%

A.6 CSRC: May, Jan-Feb 2004 Survey

Absolutely not vote for that candidate	59	8.0%
Vote depends on other things	76	10.4%
Don't Know / No Reply / Other	102	13.9%
Total Qualified	733	100.0%

Gerald W. Johnson, Director
Capital Survey Research Center
P. O. Box 4177
Montgomery, AL 36103-4177
(334-834-3912 / 334-834-9790)
FAX (334-262-8377)
polling@alaedu.org

A.7 CSRC: July 2005 Survey

2006 Election Survey I (05018C)

863 Registered Voters
SME Total +/-3.5%
SME Primary +/-4.9%
July 12-14, 18-21 2005

Alabama Constitution

27. What is your overall impression of the Alabama Constitution?

Adequate to meet the needs of the state	18.9%
Needs some revisions and Amendments	45.2%
Need a new constitution	24.6%
Don't Know / No Reply	11.4%

28. Who would you trust the most to write a new constitution?

Legislature	15.8%
Constitutional Convention	62.3%
Don't Know / No Reply	21.8%

29. How would you vote on the question of holding a constitutional convention of elected delegates to write a new constitution for Alabama? Would you vote:

For a convention	68.0%
Against a convention	17.7%
Don't Know / No Reply	14.3%

A.7 CSRC: July 2005 Survey

30. An act of the Legislature is required to hold a constitutional convention to write a new constitution. The Legislature has not acted to provide a vote of the people on whether or not to hold a convention. One way to influence the Legislature to call for a vote on a constitutional convention is to vote no on all proposed amendments, no matter how badly needed, until the legislature allows the people to vote on a convention. How would you feel about voting no on all proposed constitutional amendments until the Legislature allowed a vote of the people on holding a convention. Would you:

Vote no on all amendments to force a vote on a convention	43.6%
Not vote no on all amendments to force a vote on a convention	34.3%
Don't Know / No Reply	22.1%

31. Would you be more or less likely to support a candidate for public office who supports a constitutional convention to write a new constitution for Alabama? Would you be:

Much more likely	26.3%
Somewhat more likely	38.8%
Somewhat less likely	11.7%
Much less likely	9.6%
Don't Know / No Reply	13.6%

A.8 CSRC: Feb 2006 Survey

Capital Survey Research Center
2006 CONSTITUTION SURVEY

550 Registered Voters
 February 8-9 / 13, 2006
 SME +/-4.2%

Do you support or oppose the Legislature passing a bill to allow a vote of the people on whether or not to hold a constitutional convention of elected delegates to write a new constitution for approval by a vote of the people?

	Total	Race		Region			Gender	
		B	W	N	M	S	M	F
Support	72%	74%	71%	75%	69%	67%	74%	69%
Oppose	19%	16%	20%	17%	20%	22%	19%	19%
Don't Know	10%	10%	9%	8%	11%	8%	8%	12%

Registered Voters	Sample	Actual
Region		
North	48.7%	46%
Middle	28.7%	30%
South	22.5%	24%

Race	Sample	Actual
Black A-A	18%	24%
White	79%	74%
Other	3%	2%

Gender	Sample	Actual
Male	47.8%	45%
Female	52.2%	55%

A.9 CSRC: Oct 2007 Survey

Capital Survey Research Center

Alabama Political Issues Survey (07028)

560 Likely Voters

October 2-4, 9-11, 2007

SME +/- 4.2%

Please tell me if you Strongly Support (SS), Somewhat Support (SS), Somewhat Oppose (SO), or Strongly Oppose (SO) each of the following proposals? If you Do Not Know (DNK), just say so.

	SS	SS	SO	SO	DK
Allow Alabama citizens to vote on holding a constitutional convention	38.1%	25.7%	9.8%	13.1%	13.3%

Gerald W. Johnson
Capital Survey Research Center
Alabama Education Association
334-834-3912
polling@alaedu.org

A.9 CSRC: Oct 2007 Survey

Demographics

REGIONS	Sample
North	47.7%
Middle	26.8%
South	25.5%

Party I. D.	
Democrat	33.9%
Republican	35.3%
Independent	24.1%
Other	6.7%

Church Attendance	
Do Not Attend	10.8%
< Once Month	6.9%
Once Month	11.4%
Once Week	36.0%
> Once Week	27.8%
Other	7.0%

Gender	
Male	45.0%
Female	55.0%

Race	
Black A-A	20.0%
White	77.0%
Hispanic	1.0%
Other	2.0%

Age	
18-21	7.8%
35-45	13.2%
46-55	17.9%
56-65	22.9%
Over 65	38.0%

Residence	
Rural County	22.8%
Rural Community	14.2%
Small City	24.5%
Medium city	14.0%
Large City	22.5%
Other	2.0%

Income	
< \$25,000	22.8%
\$25,000-\$50,000	21.9%
\$50,000-\$75,000	15.4%
\$75,000-\$100,000	11.9%
> \$100,000	13.0%
Other	14.9%

A.10 CSRC: Mar 2008 Survey

Capital Survey Research Center

Alabama 08 Legislative Constitution Issue (08010)

599 Likely Voters

March 10-12, 17-18, 2008

SME +/-4.0%

Please tell me if you want your legislator to Vote For (VF) or Vote Against (VA) each of the following proposals?

VF VA DNK

Allow vote on whether or not to have a constitutional convention 63.9% 24.4% 11.7%

Gerald W. Johnson
Capital Survey Research Center
Alabama Education Association
334-834-3912
polling@alaedu.org

A.10 CSRC: Mar 2008 Survey

Demographics

Regions		Party I. D.		Weighted
North	46.4%	Democrat	35.1%	38.5%
Middle	29.2%	Republican	36.2%	33.9%
South	24.4%	Independent	24.0%	22.8%
		Other	4.7%	4.8%
Church Attendance		Income		
None	12.9%	< \$25,000	19.4%	
< Once month	7.2%	\$25-\$50,000	24.5%	
Once month	9.8%	\$50-\$75,000	17.9%	
Once week	35.7%	\$75-\$100,000	12.5%	
> Once week	29.9%	>\$100,000	15.0%	
Other	4.5%	Other	10.7%	
Gender		Race		Weighted
Male	44.6%	Black A-A	17.7%	24%
Female	55.4%	White	78.1%	74%
		Other	4.2%	2%
Age		Residence		
18-21	0.8%	Rural county		21.2%
22-34	7.8%	Rural community		18.2%
35-45	13.5%	Small city (5-25,000)		24.0%
46-55	19.2%	Medium city (25-100,000)		14.4%
56-65	24.5%	Large city (over 100,000)		18.0%
> 65	33.7%	Other		4.2%

A.10 CSRC: Mar 2008 Survey

CT 1

Region, Party I. D., Church Attendance and Gender and Alabama Consitution

15. Would you want your legislator to vote for or against the following proposal? Allow Alabama citizens to vote on whether or not to have a constitutional convention of elected delegates to write a new constitution for Alabama.

	<u>REGION</u>			<u>PARTY I.D.</u>				<u>CHURCH ATTENDANCE</u>					<u>GENDER</u>			
	TOTAL	N	M	S	Dem.	Rep.	Ind.	Other	DNA	<OM	OM	OW	>OW	DK/NR	M	F
TOTAL	599	278	175	146	210	217	144	28	77	43	59	214	179	27	267	332
Vote For	383	178	114	91	148	120	96	19	51	34	32	139	109	18	180	203
	63.9	64.0	65.1	62.3	70.5	55.3	66.7	67.9	66.2	79.1	54.2	65.0	60.9	66.7	67.4	61.1
Vote Against	146	64	42	40	40	67	34	5	14	6	20	50	50	6	65	81
	24.4	23.0	24.0	27.4	19.0	30.9	23.6	17.9	18.2	14.0	33.9	23.4	27.9	22.2	24.3	24.4
Don't Know / No Reply	70	36	19	15	22	30	14	4	12	3	7	25	20	3	22	48
	11.7	12.9	10.9	10.3	10.5	13.8	9.7	14.3	15.6	7.0	11.9	11.7	11.2	11.1	8.2	14.5

Church Attendance - DNA= Do Not Attend; <OM= Less Than Once A Month; OM = Once a Month; OW= Once a Week; >OW= More than Once a Week

A.10 CSRC: Mar 2008 Survey

CT 2

Race and Age and Alabama Constitution

15. Would you want your legislator to vote for or against the following proposal? Allow Alabama citizens to vote on whether or not to have a constitutional convention of elected delegates to write a new constitution for Alabama.

	<u>RACE</u>					<u>AGE</u>						
	TOTAL	Black	White	Hispanic	Other	18-21	22-34	35-45	46-55	56-65	65+	DK/NR
TOTAL	599	106	468	1	24	5	47	81	115	147	202	2
Vote For	383 63.9	79 74.5	289 61.8		15 62.5	2 40.0	33 70.2	53 65.4	72 62.6	104 70.7	119 58.9	
Vote Against	146 24.4	14 13.2	127 27.1	1 100.0	4 16.7	1 20.0	13 27.7	14 17.3	28 24.3	33 22.4	57 28.2	
Don't Know / No Reply	70 11.7	13 12.3	52 11.1		5 20.8	2 40.0	1 2.1	14 17.3	15 13.0	10 6.8	26 12.9	2 100.0

A.10 CSRC: Mar 2008 Survey

CT 3

Residence and Income and Alabama Constitution

15. Would you want your legislator to vote for or against the following proposal? Allow Alabama citizens to vote on whether or not to have a constitutional convention of elected delegates to write a new constitution for Alabama.

	<u>RESIDENCE</u>						<u>INCOME (\$1,000)</u>						
	TOTAL	Rural county	Sm. rural	Sm. city	Med. size city	Lg. city	DK/NR	<\$25	\$25-\$50	\$50-\$75	\$75-\$100	>\$100	DK/NR
TOTAL	599	127	109	144	86	108	25	116	147	107	75	90	64
Vote For	383 63.9	80 63.0	55 50.5	97 67.4	63 73.3	74 68.5	14 56.0	65 56.0	96 65.3	66 61.7	53 70.7	67 74.4	36 56.2
Vote Against	146 24.4	33 26.0	44 40.4	31 21.5	16 18.6	19 17.6	3 12.0	35 30.2	34 23.1	26 24.3	17 22.7	17 18.9	17 26.6
Don't Know / No Reply	70 11.7	14 11.0	10 9.2	16 11.1	7 8.1	15 13.9	8 32.0	16 13.8	17 11.6	15 14.0	5 6.7	6 6.7	11 17.2

Residence - Rural County Area; Small Rural Community; Small city 5,000 to 25,000; Medium size city 25,000 to 100,000; Large city over 100,000

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

Public Affairs Research Council of Alabama Funding Priorities Survey

Survey Director: Randolph Horn, Samford University
205-410-4533, rchorn@samford.edu

Methodology: Statewide RDD phone survey Overall Sample N=494, Margin of error: +/- 4.4% Subsample N=360, Margin of error: +/- 5.2%

Conducted January 6 - January 22, 2009

Weighted by race and gender to match population figures.

1. The Legislature goes back into session February 3rd, what do you think is the most important issue for the legislature to address this year? [Responses totaling less than one percent excluded.]

	Percent
Jobs and the economy	37
Education	20
No Opinion	17
Budget shortfall/proration	9
Health care	3
Taxes too high	2
Gambling	2
Gas prices	1
Tax fairness	1
Crime and drugs	1
Constitutional reform	1
Jefferson Co gov/bankruptcy	1
Govt corruption/ethics	1
Chemical Weapons	1
Immigration	1

2. SUBSAMPLE: People have different opinions about how well different state government agencies perform.

Can you name a program or agency in Alabama state government that you think is doing a good job?

[Responses totaling less than one percent excluded.]

	Percent
Public Safety	18
Education	14

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

Health Care	7
DHR	7
Highways	7
Agriculture Dept	7
Non-state Agency	5
Alabama Development Office	4
RSA	4
Local	4
Other	3
Governor	3
All	3
Industrial Relations	3

3. SUBSAMPLE [Asked only if respondent was able to name a program in the previous question.] Is your knowledge of that program based on first-hand experience, information from friends or relatives, media reports or something else?

	percent
1. (multiple sources)	5
2. first-hand experience	56
3. friends or relatives	16
4. media reports	23

4. I'm going to name four big investments the state makes with your tax dollars. If you had to choose just one of them as the most important service the state provides, which one of these would it be? Which one of these services would you rank as next most important? [1=most important.]

	Average rank
Education	1.6
Health Care	2.1
Public Safety	3.0
Highways	3.3

5. Alabama's education programs are funded mostly by state income and sales tax dollars. Highways are maintained with gasoline and automobile tax dollars. These revenues are earmarked and can't be used for anything else. Do you think it is a good idea or a bad idea to earmark taxes to fund a particular kind of public service?

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

		percent
1.	Bad idea	27
2.	Good idea	63
3.	It depends (volunteered)	8
	No opinion	2

6. The state's health care and public safety services depend a lot on general tax revenues that are not earmarked. The Governor recommends and the Legislature decides how to distribute general tax revenues. Is it OK for some state services to be funded from earmarked revenues while others are not?

		percent
1.	No	44
2.	Yes	40
3.	No opinion	15

7. Now I want to ask about earmarking for each of the main areas of government service. Should revenue be earmarked for Education?

		percent
1.	No	14
2.	Yes	80
3.	No opinion	6

8. Should revenue be earmarked for Health Care?

		percent
1.	No	24
2.	Yes	70
3.	No opinion	6

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

9. Should revenue be earmarked for Public Safety?

	percent
1. No	32
2. Yes	60
3. No opinion	8

10. Should revenue be earmarked for Highways?

	percent
1. No	31
2. Yes	63
3. No opinion	6

11. The Legislature has to adopt balanced budgets every year. Sometimes the economy turns bad, as it has this year. If revenues are too low to fund the budget, the Governor must declare proration and cut spending across the board. In general, do you think cutting spending across the board is a good way to keep the budget in balance, or should budgets be balanced in another way if money falls short during the year?

	percent
1. Proration a good way	39
2. Balance another way	54
3. No opinion	7

12. Even though current law requires proration when revenue falls short of budgeted amounts, I'm going to list some ways that the state government could address this problem. Tell me which one of these, or something else, you think would be the best way to handle a revenue shortfall.

	percent
1. Set aside money in advance	47
2. Legislature make cuts/raise	20
3. Across the board cuts	16
4. Give governor authority to cut	8
5. Other	5

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

6. No opinion 4

13. In recent years, Alabama public schools have been showing improvement on national test scores in reading and math. Some people think a large budget cut would hurt Alabama's public schools a lot while others think it would not hurt much at all. How about you? Do you think a large budget cut would hurt a lot, some, a little, or not at all?

	percent
1. A lot	64
2. Some	16
3. A little	9
4. Not at all	7
No opinion	4

14. In recent years, Alabama has been in the top ten states for economic development success. Some people think a large budget cut in job-related education programs that help Alabama attract high-paying companies would hurt economic development a lot while others think it would not hurt much at all. How about you? Do you think a large budget cut would hurt a lot, some, a little, or not at all?

	percent
1. A lot	46
2. Some	25
3. A little	12
4. Not at all	11
No opinion	6

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

15. Tuition at state colleges and universities is currently above the average for the Southeastern states. Some people think a large cut in state funding would hurt college affordability a lot while others think it would not hurt much at all. How about you? Do you think a large budget cut would hurt a lot, some, a little, or not at all?

	percent
1. A lot	51
2. Some	19
3. A little	12
4. Not at all	12
No opinion	6

16. State health care programs currently pay for three-fourths of all nursing home care and nearly half of all baby deliveries in Alabama. Some people think a large cut in state funding would hurt healthcare services a lot while others think it would not hurt much at all. How about you? Do you think a large budget cut would hurt a lot, some, a little, or not at all?

	percent
1. A lot	63
2. Some	17
3. A little	8
4. Not at all	7
No opinion	5

17. In recent years, the efforts of public safety officials have reduced the number of highway deaths in the state. Some people think a large cut in state funding would hurt public safety services a lot while others think it would not hurt much at all. How about you? Do you think a large budget cut would hurt a lot, some, a little, or not at all?

	percent
1. A lot	63
2. Some	17
3. A little	8
4. Not at all	7
No opinion	5

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

18. Twenty-four percent of Alabama's highway bridges fail to meet federal safety standards or are rated structurally unsound. Some people think a large cut in state funding would hurt highway maintenance a lot while others think it would not hurt much at all. How about you? Do you think a large budget cut would hurt a lot, some, a little, or not at all?

	percent
1. A lot	51
2. Some	18
3. A little	13
4. Not at all	14
No opinion	4

19. Now I want to ask if you would be willing to pay more state taxes to prevent budget cuts in any of the major areas of government service. Would you be willing to pay more in state taxes to avoid substantial cuts in education?

	percent
1. No	37
2. Yes	58
3. No opinion	5

20. Would you be willing to pay more in state taxes to avoid substantial cuts in Health Care?

	percent
1. No	39
2. Yes	56
3. No opinion	5

21. Would you be willing to pay more in state taxes to avoid substantial cuts in Public Safety?

	percent
1. No	55
2. Yes	38
3. No opinion	7

A.11 Public Affairs Research Council of AL: Jan 2009 Survey

22. Would you be willing to pay more in state taxes to avoid substantial cuts in Highways?

		percent
1.	No	56
2.	Yes	39
3.	No opinion	5

23. SUBSAMPLE: Would you ever consider running for office in the state legislature?

		percent
1.	No	85
2.	Yes	13
3.	No opinion	2

24. SUBSAMPLE Why do you think you might run? [Responses totaling less than one percent excluded.]

	Percent I can do better	46
new ideas	15 to give citizen	
perspective	11 everyone in a democracy	
can serve	9 current legislator	
deficient	8 to help people	8
other	3	

25. SUBSAMPLE Why wouldn't you run? [Responses totaling less than one percent excluded.]

	Percent
no opinion	50
job not for me/like current job	18
family/health/age	13
politics too complicated	9
politics too corrupt	3
want to avoid spotlight	3
not qualified	2
opinions make unelectable	1

A.12 PARCA: Jan 2010 Survey

**PARCA 2010 Poll Toplines
Issues and the Gubernatorial Election
Conducted Jan. 4-17, 2010**

**State-wide RDD sample, n=529 Margin of error +/- 4.26% Weighted by race and gender
to match state demographics**

Key: percentages = cell percentages
May not total 100% due to rounding

The Alabama State Legislature starts/started its Two-Thousand Ten session January 12th, what do you think is the most important issue for the legislature to address this year?

Number of jobs = 529

Top ten responses	percentages
Jobs and the economy	27.35
no opinion	19.71
Education	19.6
Health care	12.27
Budget shortfall/proration	7.19
Allowing gambling/bingo	2.52
Taxes too high	1.39
Tax fairness	1.36
Constitutional reform	1.21
Crime and drugs	.96

The citizens of Alabama will be electing a new governor in Two-Thousand Ten. We'd like to ask you some questions about issues the new governor may have to address.

First, what do you think will be the more important issue for the new governor to address when he or she takes office in Two-Thousand Eleven?

A.12 PARCA: Jan 2010 Survey

Number of jobs = 529

GOVMOST	percentages
Jobs and the economy	39.74
Education	17.44
no opinion	12.22
Budget shortfall/proration	7.64
Health care	6.16
Allowing gambling/bingo	3.10
Government corruption/ethics	1.75
Crime and drugs	1.45
Tax fairness	1.31
Taxes too high	1.29

A.12 PARCA: Jan 2010 Survey

I'm going to name four big investments the state makes with your tax dollars. If you had to choose just one of them as the most important service the state provides, which one of these would it be? [Read and rotate. Mark 1 by the one chosen)

Which one of these services would you rank as next most important? (Read the remaining options and mark 2-4 by the one chosen.)

Number of jobs = 529

Category	Mean rank
Education	1.63
Health Care	2.20
Highways	3.24
Public Safety	2.90

State health programs including Medicaid provide many services including paying for three-fourths of all nursing home care and nearly half of all baby deliveries in Alabama. While some of this is paid for with federal money, healthcare spending is big part of the state budget. Do you think there should be a dedicated source of revenue that can only be spent for state health programs?

Number of jobs = 529

BUDGET02	percentages
no opinion	9.12
No	20.27
Yes	70.61

Despite efforts to relieve prison overcrowding and reduce costs in the corrections department, the state prison system makes up a large part of the state budget. Do you think there should be a dedicated source of revenue that can only be spent for corrections?

Number of jobs = 529

BUDGET03	percentages
no opinion	8.03
No	34.18
Yes	57.79

Now I want to ask if you would be willing to pay more state taxes to prevent budget cuts in any of the major areas of government service. Would you be willing to pay more in state taxes to avoid substantial cuts in education?

A.12 PARCA: Jan 2010 Survey

Number of jobs = 529

TAX1	percentages
no opinion	3.07
No	33.36
Yes	63.57

A.12 PARCA: Jan 2010 Survey

How about Health Care? [PROMPT, IF NECESSARY: Would you be willing to pay more in state taxes to avoid substantial cuts in Health Care?]

Number of jobs = 529

TAX2	percentages
no opinion	3.49
No	39.88
Yes	56.62

How about Public Safety? [PROMPT, IF NECESSARY: Would you be willing to pay more in state taxes to avoid substantial cuts in Public Safety?]

Number of jobs = 529

TAX3	percentages
no opinion	2.73
No	50.09
Yes	47.18

How about Highways? [PROMPT, IF NECESSARY: Would you be willing to pay more in state taxes to avoid substantial cuts in Highway building and maintenance?]

Number of jobs = 529

TAX4	percentages
no opinion	2.68
No	59.32
Yes	37.99

Some people think taxes in Alabama put too heavy a burden on working people and others who make modest incomes while others say that everybody in the state pays their fair share. How about you? Do you think taxes place too great a burden on low income people or are they more-or-less fair for everyone?

A.12 PARCA: Jan 2010 Survey

Number of jobs = 529

TAX5	percentages
no opinion	6.46
More-or-less fair	41.53
Too great a burden on low income	52

A.12 PARCA: Jan 2010 Survey

Some people have suggested making changes to the ways the state raises revenue. I'd like to ask you about some of these proposals next.

A family of four in Alabama does not have to start paying state income taxes until they earn more than 12,600 dollars. Most other states let families earn more before they start paying taxes. Some people think it is a good idea to raise the amount of money people can earn before having to pay state income taxes. How about you? Do you think the amount people can earn before paying state taxes should be raised, lowered, or is it about right?

Number of jobs = 529

TAX6	percentages
no opinion	4.29
About right	32.15
Lowered	7.83
Raised	55.73

Sales tax is a major source of revenue for both the state and local governments. Some people think that we shouldn't tax things like groceries, while others think the state can't afford to give up the revenue. Do you think we should remove the sales tax from groceries?

Number of jobs = 529

TAX7	percentages
no opinion	2.33
No	36.94
Yes	60.72

Implementing any of these changes to the state tax system would reduce the amount of revenue the state currently raises. Should that revenue be replaced from other sources or should the state cut spending and services to make up the shortfall?

Number of jobs = 529

TAX8	percentages
no opinion	12.42
Cut spending	47.17
Other source	40.4

A.12 PARCA: Jan 2010 Survey

Officials in the highway department say that there is not sufficient revenue to maintain state roads and highways. How important do you think road maintenance is compared to other state funding priorities?

Number of jobs = 529

ROAD1	percentages
no opinion	1.59
Very important	27.77
Important	51.72
Not that important	16.43
Not at all important	2.49

A.12 PARCA: Jan 2010 Survey

Some people have suggested that additional revenue for state roads and highways could be raised by increasing highway user taxes, such as fuel taxes and license plate fees. Do you think highway user taxes should be increased, decreased or are they about right?

Number of jobs = 529

ROAD2	percentages
no opinion	4.75
About right	62.31
Decreased	17.21
Increased	15.73

Some people think that since gambling already happens in the state it should be regulated and taxed. Other people it should be completely outlawed rather than be used as a revenue source. How about you? Do you think gambling should be regulated and taxed or outlawed altogether?

Number of jobs = 529

GAME01	percentages
no opinion	2.14
Outlawed	26.4
Taxed and regulated	71.46

Some people have suggested that Alabama should adopt a lottery to fund education. Do you think the state should adopt a lottery?

Number of jobs = 529

GAME02	percentages
no opinion	2.59
No	27.54
Yes	69.87

A.12 PARCA: Jan 2010 Survey

In those counties that want it, should electronic bingo games be allowed?

Number of jobs = 528

GAME03	percentages
no opinion	3.74
No	30.36
Yes	65.89

Some states allow casino gambling because they think it promotes economic development and is a source of tax revenue. Do you think this is a good idea for Alabama?

Number of jobs = 529

GAME04	percentages
no opinion	3.99
No	34.61
Yes	61.41

A.12 PARCA: Jan 2010 Survey

Some people have suggested that the Alabama's 1901 state constitution is in need of revision or replacement, while others think it is fine the way it is. How about you do think the state constitution needs to be revised, is fine the way it is, or do you not have an opinion on the issue?

Number of obs = 529

CONST1	percentages
fine the way it is	15.33
needs to be revised	48.55
no opinion	35.19

ASKED ONLY IF R THINKS IT NEEDS TO BE REVISED: Leaders disagree about the best way to fix the state constitution. Some think there are so many problems with the current constitution that a constitutional convention should be called to replace it, while others favor amending the constitution to address specific problems. How about you? Do you think a convention should be called to replace the entire state constitution or should the legislature propose specific repairs to be made through the amendment process?

Number of jobs = 246

CONST2	percentages
no opinion	7.01
Amendment	58.2
Convention	34.8

Some bodies that conduct investigations like grand juries or legislative committees have subpoena power, that is, the power to compel witnesses to appear and cooperate with investigations. The state ethics commission is responsible for investigating allegations of corrupt acts by public officials. The commission relies on the voluntary cooperation of witnesses and of people it investigates. Some people think that the state ethics commission should have subpoena power, while others think it will make the commission too powerful. Do you think the ethics commission should have subpoena power or should it rely on voluntary cooperation?

Number of jobs = 527

ETH01	percentages
no opinion	11.29
Ethics Com. should have subpeona pwr	50.47
Rely on voluntary cooperation	38.24

A.12 PARCA: Jan 2010 Survey

In Alabama elections, fundraising groups can avoid disclosure of the sources of political contribution by transferring the funds from one group to another. This is known as a PAC to PAC transfer. Some people think they should be outlawed. Others think it is OK to allow the source of funds to remain unknown. How about you? Do you think it is OK for the law to allow PAC to PAC transfers in Alabama political campaigns? Number of jobs = 528

PAC1	percentages
no opinion	7.03
No	80.52
Yes	12.44

A.12 PARCA: Jan 2010 Survey

In Alabama, it is legal for a lobbyist to spend up to \$250 dollars per day to entertain a state legislator without reporting it. Some people think lobbyists should have to report all spending on public officials; others think such reporting is unnecessary. What about you? Do you think lobbyists should be required to report all money spent entertaining legislators or is it OK for lobbyists to spend money entertaining legislators without reporting it?

Number of jobs = 529

LOB1	percentages
no opinion	2.02
Lobb'sts should be required to rpt	91.22
OK for lobbyists to spend money	6.75

Let's talk about the amounts lobbyists are allowed to spend entertaining legislators. Do you think lobbyists should be allowed to spend more than \$250 a day, \$250 a day sounds about right, \$250 is too high, or should such spending be eliminated altogether?

Number of jobs = 529

LOB2	percentages
Spending should be eliminated al	43.39
\$250 is too high	27.73
\$250 a day sounds about right	19.96
Should be allowed to spend more	4.51
no opinion	4.41

Being a state legislator in Alabama is not considered a full-time job. Most legislators also have other jobs. Some legislators work for other parts of state government and take leave from those jobs when they are serving in the legislature. Sometimes legislators are hired by state agencies after they are elected. Some people think that legislators should not be allowed to hold another paid job with the state; others think it is OK for legislators to hold another job with the state. How about you? Do you think legislators should be allowed to hold other state jobs or should they be prohibited from state employment?

Number of jobs = 529

LEG3	percentages
no opinion	6.19
Legislators should be allowed to	32.09
Legislators should be prohibited	61.61

A.12 PARCA: Jan 2010 Survey

Charter schools are schools that are governed under a written agreement with a state or local school board. The agreement allows the school freedom to operate, in return for public funding and a promise of better performance. Some people believe allowing students to choose such schools will improve performance, while others think they would adversely affect the funding of public schools. Do you think charter schools should be allowed to operate in Alabama?

Number of jobs = 529

CHART1	percentages
no opinion	13.63
No	25.04
Yes	61.34

The Alabama Prepaid Affordable College Tuition or "PACT" program ran into trouble during the recent economic crisis because the value of investments in the fund declined. Current analysis by the fund's board indicates that the program will need additional money to continue paying college tuition in years to come. Do you think the state should make good on the program's promise of paying full tuition benefits even if means diverting funds from other programs?

Number of jobs = 529

PACT	percentages
no opinion	6.82
No	21.46
Yes	71.72

We are interested in how people are getting along financially these days. Would you say that you (and your family living there) are better off or worse financially than you were a year ago?

Number of jobs = 528

CURFIN	percentages
no opinion	1.32
Better off	17.45
Same	32.37
Worse off	48.85

A.12 PARCA: Jan 2010 Survey

Now, looking ahead -- do you think that a year from now you (and your family living there) will be better off financially, or worse off, or just about the same as now ?

Number of jobs = 529

FUTFIN	percentages
no opinion	5.48
Better off	32.81
Same	48
Worse off	13.7

A.12 PARCA: Jan 2010 Survey

Now turning to business conditions in the country as a whole -- do you think that during the next 12 months we'll have good times financially, or bad times, or what ?

Number of jobs = 529

USFUPI	percentages
no opinion	4.16
Bad times	35.64
Bad with qualifications	7.39
Uncertain; Good and Bad	17.6
Good with qualifications	14.45
Good times	20.76

Looking ahead, which would you say is more likely -- that in the country as a whole we'll have continuous good times during the next five years or so, or that we will have periods of widespread unemployment or depression, or what ?

Number of jobs = 529

USNEX5	percentages
no opinion	5.09
Bad times	37.63
Bad with qualifications	10.75
Uncertain; Good and Bad	12.7
Good with qualifications	12.77
Good times	21.07

About the big things people buy for their homes -- such as furniture, a refrigerator, stove, television, and things like that. Generally speaking, do you think now is a good or a bad time for people to buy major household items?

Number of jobs = 529

GBTIME	percentages
no opinion	.89
Bad time	35.83
Good time	45.43
Uncertain	17.86

A.12 PARCA: Jan 2010 Survey

Now I'm going to read some statements. Please indicate whether you strongly agree, agree, neither agree nor disagree, disagree, or strongly disagree with each statement.

Government officials in Montgomery do not especially care what people like me think.

Number of jobs = 529

EF2	percentages
no opinion	.16
strongly agree	16.91
agree	56.66
neither agree nor disagree	7.66
disagree	17.53
strongly disagree	1.09

People like me have no say in what the government in Montgomery does. Number of obs = 529

EF3	percentages
no opinion	.31
strongly agree	11.94
agree	44.98
neither agree nor disagree	6.28
disagree	34.23
strongly disagree	2.26

The government in Montgomery does not take public opinion into account when it makes decisions.

Number of jobs = 528

EF4	percentages
no opinion	1.16
strongly agree	13.99
agree	47.83
neither agree nor disagree	9.98
disagree	26
strongly disagree	1.04

A.13 CSRC: Feb, Mar, Apr 2010 Survey

Capital Survey Research Center

2010 Issues (Constitution)

820 Likely Voters

February 10,18, March 24-25, 29-30, April 13-14, 2010

SME +/-3.3%

Now I have some questions about issues facing Alabama. Please tell me if you support or oppose each of the following.

Allow the people to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution

	Frequency	Percent
	-----	-----
1 Support	441	50.5%
2 Oppose	308	35.2%
3 Don't Know / No Reply / Other	125	14.3%
Total Qualified	874	100.0%

To complete the survey I have some very brief questions for statistical purposes.

A.13 CSRC: Feb, Mar, Apr 2010 Survey

Demographics

Region

North	47.0%
Middle	29.0%
South	24.0%

Party I. D.

Democrat	35.7%
Republican	33.6%
Independent	28.6%
Other	2.1%

Church Attendance

No	11.0%
< Once month	8.8%
Once month	11.5%
Once week	30.8%
> Once week	32.8%
Other	5.5%

Gender

Male	44.0%
Female	56.0%

Race

Black A-A	26.0%
White	72.0%
Other	2.0%

A.13 CSRC: Feb, Mar, Apr 2010 Survey

Age		Residence	
18-24	2.7%	County	20.5%
25-34	9.0%	Rural community	20.3%
35-44	13.9%	Small city	23.7%
45-54	17.6%	Medium city	13.7%
55-64	24.0%	Large city	18.1%
65+	32.4%	Other	3.7%

Income	
<\$25,000	18.2%
\$25,-\$50,000	24.9%
\$50-\$75,000	17.4%
\$75-\$100,000	14.6%
\$100,000+	12.2%
Other	12.6%

This completes the survey. Thank you for your participation.

A.13 CSRC: Feb, Mar, Apr 2010 Survey

Capital Survey Research Center
 Alabama 2010 Election & Issues 4 Survey
 Project 10003
 820 Likely Voters
 February 10, 18, March 24-25, 29-30, April 13-14, 2010
 SME +/- 3.3%

Please tell me if you support or oppose the following.

22. Allow the people to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution

	<u>RACE</u>			<u>AGE</u>							<u>INCOME (\$1,000)</u>						
	TOTAL	Black	White	Other	18-24	25-34	35-44	45-54	55-64	+65	DK/NR	<\$25	\$25-\$50	\$50-\$75	\$75-\$100	>\$100	DK/NR
TOTAL	874	227	629	17	23	78	122	154	210	283	3	159	218	152	127	107	110
Support	441	126	304	10	8	41	64	70	119	136	2	72	102	81	66	66	54
	50.5	55.6	48.3	59.9	35.9	52.4	52.5	45.2	56.9	48.1	72.7	45.2	46.9	53.0	51.7	61.8	49.0
Oppose	308	60	242	6	15	28	38	68	65	93	1	55	79	54	50	34	36
	35.2	26.5	38.5	32.2	64.1	35.4	31.2	44.1	30.9	33.0	27.3	34.8	36.3	35.3	39.2	31.7	32.5
Don't Know / No Reply	125	41	83	1		10	20	16	26	54		32	37	18	12	7	20
	14.3	17.9	13.2	7.9		12.3	16.3	10.7	12.2	18.9		20.0	16.8	11.7	9.1	6.5	18.5

A.13 CSRC: Feb, Mar, Apr 2010 Survey

Capital Survey Research Center
 Alabama 2010 Election & Issues 4 Survey
 Project 10003
 820 Likely Voters
 February 10, 18, March 24-25, 29-30, April 13-14, 2010
 SME +/- 3.3%

Please tell me if you support or oppose the following.

22. Allow the people to vote on whether or not to hold a constitutional convention of elected delegates to write a new constitution

	TOTAL	<u>REGION</u>			<u>PARTY I.D.</u>				<u>CHURCH ATTENDANCE</u>					<u>GENDER</u>		
		North	Middle	South	Dem.	Rep.	Ind.	Other	DNA	<OM	OM	OW	>OW	DK/NR	Male	Female
TOTAL	874	411	253	210	312	294	250	18	96	77	101	270	286	44	398	476
Support	441 50.5	203 49.5	140 55.1	98 46.8	170 54.3	124 42.3	138 55.3	9 50.7	54 56.7	43 55.2	54 53.5	131 48.5	137 48.0	22 49.9	227 57.0	210 44.1
Oppose	308 35.2	147 35.7	83 32.8	78 37.2	86 27.5	132 45.0	83 33.4	6 34.5	31 32.2	23 30.1	38 37.9	95 35.2	107 37.4	13 30.3	138 34.7	179 37.6
Don't Know / No Reply	125 14.3	61 14.8	31 12.1	34 16.0	57 18.2	37 12.7	28 11.4	3 14.8	11 11.1	11 14.7	9 8.5	44 16.3	42 14.7	9 19.8	33 8.3	87 18.3

Church Attendance - DNA= Do Not Attend; <OM= Less Than Once A Month; OM = Once a Month; OW= Once a Week; >OW= More than Once a Week

A.14 PARCA: Jan 2011 Survey

2011 PARCA Survey Toplines
Fiscal Challenges for State Government

Conducted Jan. 4-19, 2011
State-wide RDD sample, n=536
Margin of error +/- 4.23%

Weighted by race and gender to match state demographics

1. The Alabama State Legislature starts its Two-Thousand Eleven session in March. What do you think is the most important issue for the legislature to address this year?

	percentages
Jobs and the economy	34.78
No opinion	18.85
Education	15.77
Health care	8.451
Budget shortfall/proration	6.742
Government corruption/ethics	2.188
Gambling	2.13
Constitutional reform	1.882
Senior issues	1.784
Taxes too high	1.713
Tax fairness	1.395
Immigration	.8098
Crime and drugs	.5946
Medical marijuana	.3964
Gas prices	.3511

A.14 PARCA: Jan 2011

Move beyond politics		.3511
Traffic and roads		.3511
Environment		.3058
Teacher tenure		.3058
Smaller government		.1982
Food Stamps		.1768
Utility Bills		.1768
Judicial reform		.1529
PACT		.1529
Total		100

Key: percentages = cell percentages

2. I'm going to name four big investments the state makes with your tax dollars. If you had to choose just one of them as the most important service the state provides, which one of these would it be? [READ AND ROTATE: Mark 1 by the one chosen]

Which one of these services would you rank as next most important? (Read the remaining options and mark 2-4 by the one chosen.)

		Mean
Education		1.69803
Health care for the poor and elderly		2.063796

A.14 PARCA: Jan 2011 Survey

Highways		3.179566
Public Safety, including prisons and law enforcement		2.995378

3. Would you be willing to pay more state taxes to prevent budget cuts in [INSERT ITEM: ROTATE]?
[THEREAFTER: How about [NEXT ITEM]?

Education

		percentages
No opinion		3.212
No		40.71
Yes		56.08
Total		100

No opinion		5.17
No		55.02
Yes		39.81
Total		100

A.14 PARCA: Jan 2011 Survey

Highway building/maintenance

	percentages
No opinion	4.396
No	58.79
Yes	36.81
Total	100

4. Sales tax is a major source of revenue for both the state and local governments. Some people think that to make the tax system more fair we should not tax groceries, while others think the state can't afford to give up the revenue. Do you think we should reduce or remove the sales tax on groceries or keep it the way it is because the state needs the revenue right now?

	percentages
No opinion	2.955
Remove tax	37.28
Reduce tax	16.31
Keep tax	43.46
Total	100

A.14 PARCA: Jan 2011 Survey

5. Removing the sales tax on groceries would reduce the amount of revenue the state currently raises. If the tax were reduce or removed, how should the shortfall be made up? Should that revenue be replaced from other sources or should the state cut spending and services to make up the shortfall?

	percentages
No opinion	12.83
Cut spending	48.93
Other source	38.24
Total	100

6. According to budget experts, the state is facing very large shortfalls in its budgets for the next two years. I'm going to list several ways the state could reduce costs or raise additional revenue. Please tell me whether you approve or disapprove of each item. Let's start with [READ ITEM: RANDOMIZE]. [IF NECESSARY: Do you approve or disapprove of this as a way to address a budget shortfall?]

Increasing class size in elementary and secondary schools

	percentages
No opinion	3.087
Approve	27.99
Disapprove	68.93
Total	100

A.14 PARCA: Jan 2011 Survey

Reorganizing state agencies and cutting state employment

	percentages
No opinion	5.892
Approve	68.26
Disapprove	25.85
Total	100

Cutting prison costs by releasing nonviolent offenders early

	percentages
No opinion	8.019
Approve	54.76
Disapprove	37.22
Total	100

Increasing state income tax rates

	percentages
No opinion	3.794
Approve	36.69
Disapprove	59.51
Total	100

A.14 PARCA: Jan 2011 Survey

Making college students pay more in tuition

	percentages
No opinion	1.265
Approve	15.14
Disapprove	83.59
Total	100

Increasing gas taxes to improve roads

	percentages
No opinion	1.523
Approve	21.86
Disapprove	76.62
Total	100

Reducing benefits provided to state workers

	percentages
No opinion	7.932
Approve	39.98
Disapprove	52.09
Total	100

Decreasing the number of days public schools are in session

	percentages
No opinion	3.007
Approve	37.54
Disapprove	59.45
Total	100

A.14 PARCA: Jan 2011 Survey

Raising the retirement age for state workers

	percentages
No opinion	4.013
Approve	49.93
Disapprove	46.06
Total	100

Increasing the state sales tax rate

	percentages
No opinion	3.08
Approve	27.03
Disapprove	69.89
Total	100

Increasing employee contributions to the retirement system

	percentages
No opinion	6.596
Approve	65.5
Disapprove	27.9
Total	100

A.14 PARCA: Jan 2011 Survey

7a. Some people have suggested that Alabama's 1901 state constitution is in need of revision or replacement, while others think it is fine the way it is. How about you? Do you think the state constitution needs to be revised, is fine the way it is, or do you not have an opinion on the issue?

CONST1	percentages
fine the way it is	19.19
needs to be revised	48.27
no opinion	32.55
Total	100

7b. IF R THINKS IT NEEDS TO BE REVISED: Leaders disagree about the best way to fix the state constitution. Some think there are so many problems with the current constitution that a constitutional convention should be called to replace it, while others favor amending the constitution to address specific problems. How about you? Do you think a convention should be called to replace the entire state constitution or should the legislature propose specific repairs to be made through the amendment process?

	percentages
No opinion	10.07
Amendment	45.94
Convention	43.99
Total	100

A.14 PARCA: Jan 2011 Survey

8. Next I want to ask you about how county governments operate in Alabama. Some people think that counties should be given more power to manage their own operations and regulate nuisances like junkyards, if the state requires them to follow rules that involve the public. Others think decisions about county government are best left to the state legislature. How about you? Do you think these matters are best addressed by the state legislature or by the county commission?

	percentages
No opinion	4.908
Best addressed by state legislature	23.93
Best addressed by county commission	71.16
Total	100

9. Now I'm going to read some statements. Please indicate whether you strongly agree, agree, neither agree nor disagree, disagree, or strongly disagree with each statement. Government officials in Montgomery do not especially care what people like me think.

	percentages
No opinion	.5537
strongly agree	23.78
agree	38.34
neither agree nor disagree	7.605
disagree	26.67
strongly disagree	3.061
Total	100

A.14 PARCA: Jan 2011 Survey

10. People like me have no say in what the government in Montgomery does.

	percentages
No opinion	.1996
strongly agree	18.04
agree	36.78
neither agree nor disagree	4.115
disagree	36.57
strongly disagree	4.305
Total	100

11. Last November voters elected many new people to the state house and state senate. How much difference do you think all the new officials will make in the way state government operates? A lot, A little, or not much at all?

	percentages
No opinion	3.804
A lot	27.31
A little	37.6
Not much at all	31.29
Total	100

A.14 PARCA: Jan 2011 Survey

12. Last December the state legislature held a special session on ethics where they changed the rules that apply to lobbyists and groups that try to influence elections. Do you think the new rules will help make state government more open, honest, and accountable, or will they not have much of an impact?

	percentages
No opinion	6.943
Make government more honest	43.66
Not have much of an impact	49.39
Total	100

A.15 PARCA: Jan 2012 Survey

2012 PARCA Survey Toplines
 Conducted Jan. 4-18, 2012
 State-wide RDD sample, n=541
 Margin of error +/- 4.21%
 Weighted by race and gender to match state demographics

1. The Alabama State Legislature starts its Two Thousand Twelve session in February. What do you think is the most important issue for the legislature to address this year?

Top ten responses reported	percentages
Jobs and the economy	31.95
No opinion	21.79
Education	12.58
Budget shortfall/proration	7.54
Immigration Law-revise/repeal	5.073
Immigration	4.651
Taxes too high	2.385
Constitutional reform	1.686
Tax fairness	1.686
Health care	1.561

Key: percentages = cell percentages

A.15 PARCA: Jan 2012 Survey

2. In November of 2011 the Jefferson County Commission declared bankruptcy. Do you think the bankruptcy has had a negative effect on cities and counties elsewhere in the state or has it not had much of an effect?

	percentages
No opinion	16.21
Negative effect	41.04
Not much of an effect	40.76
Positive effect (volunteered)	1.985
Total	100

3. How satisfied are you with the job public schools are doing statewide? Would you say you are very satisfied, satisfied, neither satisfied nor dissatisfied, dissatisfied, or very dissatisfied?

	percentages
Very satisfied	5.009
Satisfied	33.60
Neither satisfied/dissatisfied	12.81
Dissatisfied	28.02
Very dissatisfied	11.98
No opinion	8.583
Total	100

A.15 PARCA: Jan 2012 Survey

4. Thinking just about the schools in your local area, are you satisfied with the job your local schools are doing? Would you say you are very satisfied, satisfied, neither satisfied nor dissatisfied, dissatisfied, or very dissatisfied?

	percentages
Very satisfied	14.14
Satisfied	42.17
Neither satisfied/dissatisfied	8.396
Dissatisfied	18.44
Very dissatisfied	11.28
No opinion	5.584
Total	100

5. [ROTATE] Some people believe the state needs to tighten its supervision of local schools to improve their performance. Others think there are too many state rules for local schools and they need more freedom from state control. How about you, do you think the schools need more state supervision, more freedom to operate, or are things fine the way they are now?

[ALTERNATE WITH THIS TEXT]

Some people believe there are too many state rules for local schools and they need more freedom from state control. Others think the state needs to tighten its supervision of local schools to improve their performance. How about you, do you think the schools need more freedom to operate, more state supervision, or are things fine the way they are now?

| percentages

A.15 PARCA: Jan 2012 Survey

-----+-----	
More state supervision	30.77
Fine the way they are now	13.04
More freedom to operate	46.12
No opinion	10.07
Total	100

6. Charter schools are schools that are governed under a written agreement with a state or local school board. The agreement allows the school freedom to operate and public funding in return for a promise of better performance.

Some people believe allowing students to choose such schools will improve performance, while others think charter schools would hurt the funding of public schools. Do you think charter schools should be allowed in Alabama?

-----+-----	
	percentages
Yes	55.72
No	26.12
No opinion	18.16
Total	100

Political leaders have identified job creation as a priority for the next legislative session. I'm going to list some of the proposals. Please indicate whether you approve or disapprove of each one. [ROTATE 7-10]

A.15 PARCA: Jan 2012 Survey

7. Expanding job training programs at two-year colleges
percentages

Approve	91.32
Disapprove	6.282
No opinion	2.396
Total	100

8. Providing tax breaks or incentives for businesses that hire veterans
percentages

Approve	86.21
Disapprove	10.59
No opinion	3.193
Total	100

9. Providing loans to assist small businesses
percentages

Approve	85.60
Disapprove	10.41
No opinion	3.983
Total	100

A.15 PARCA: Jan 2012 Survey

10. Expanding tax breaks or incentives for businesses that move to Alabama

	percentages
Approve	68.25
Disapprove	23.34
No opinion	8.404
Total	100

11. In general, do you think the state government could spend less and still provide the same level of services, or not?

	percentages
Yes	59.00
No	31.95
No opinion	9.046
Total	100

A.15 PARCA: Jan 2012 Survey

12. [IF YES ON 11, ASK] How much could the state government cut its spending without reducing services— less than 10 percent, 10 to 20 percent, 20 to 30 percent, or more than 30 percent? (n=325)

	percentages
Less than 10 percent	20.84
10 to 20 percent	40.91
20 to 30 percent	13.69
More than 30 percent	8.415
No opinion	16.14
Total	100

How much could the state government cut spending without reducing services
Overall result (combining 11 and 12 above)

	percentages
No cuts	31.95
Less than 10 percent	12.3
10 to 20 percent	24.14
20 to 30 percent	8.079
More than 30 percent	4.965
No opinion	18.57
Total	100

A.15 PARCA: Jan 2012 Survey

The State of Alabama has two separate budgets. The biggest budget is for education and is funded mostly by state income and sales tax dollars. Other state programs are funded from a smaller general fund budget. Some policy makers want to combine the two budgets, to give the legislature more control over state spending.

13. [ROTATE] Do you favor combining the two state budgets into one, or keeping education dollars in a separate budget?

[ALTERNATE WITH THIS TEXT]

Do you favor keeping education dollars in a separate budget, or combining the two state budgets into one?

	percentages
Combine budgets	16.38
Keep education separate	73.59
No opinion	10.04
Total	100

14. Next I want to ask you about how county governments operate in Alabama.

Some people think decisions about county government are best made by the

state legislature, as they are now. Others think county governments should be given more authority over their own operations. How about you, would you give county officials more authority or leave the state legislature in control?

	percentages
Give county more authority	59.65
Leave state legislature in control	31.33
No opinion	9.024
Total	100

Please indicate whether you strongly agree, agree, neither agree nor disagree, disagree, or strongly disagree with each statement.

15. Government officials in Montgomery do not especially care what people like me think.

	percentages
Strongly agree	15.65
Agree	46.92
Neither agree/disagree	6.679
Disagree	26.33
Strongly disagree	1.305
No opinion	3.109
Total	100

16. People like me have no say in what the government in Montgomery does.

	percentages
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Strongly agree		10.64
Agree		43.63
Neither agree/disagree		5.132
Disagree		34.88
Strongly disagree		3.238
No opinion		2.481
Total		100

Last year the legislature passed and the governor signed a major law concerning illegal immigrants in Alabama.

17. People have different views concerning the economic impact of the immigration law. Do you think it will help or harm the state's economy?

		percentages
Harm		42.92
Help		41.44
No opinion		15.63
Total		100

