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AMENDMENT No. 1 PROPOSED TO

House Bill NO. 402

By Representative(s) Formby

AMEND by striking lines 97 through 137 in their entirety and inserting the following in lieu thereof:

"(2) (a) In the general election held on the first Tuesday after the first Monday of November 2003, an election shall be held in each county of the state on the question of operation of the county on a countywide system of road administration or on the beat system of county government. The ballot in such election in counties operating on the countywide system of road administration shall have printed thereon the question "Do you want to return to the beat system of county government?" followed thereafter, on separate lines, with the word "YES" and the word "NO" and with appropriate boxes adjacent thereto in which the voters may indicate their preference. The ballot in such election in counties operating on the beat system shall have printed thereon the question "Do you want to require the county to operate on a countywide system of road administration?" followed thereafter, on separate lines, with the word "YES" and the word "NO" and with appropriate boxes adjacent thereto in which the voters may indicate their preference.

(b) The results of the elections held on the first Tuesday after the first Monday of November 2003 concerning the question as set out in paragraph (a) of this subsection shall be forwarded by the circuit clerk of such counties to the Secretary

of State, within fifteen (15) days of the election, and the Secretary of State shall certify these election results.

(c) (i) If a majority of the qualified electors participating in the election under paragraph (a) of this subsection in a county operating under the countywide system of road administration vote against returning to the beat system of county government, then the county shall not be exempt from and shall continue to be subject to the provisions of Section 19-2-3 and all other provisions of law requiring counties to operate under the countywide system of road administration. If, on the other hand, in any such county, a majority of the qualified electors participating in the election vote in favor of returning to the county beat system of county government, then the county shall be exempt from the provisions of Section 19-2-3 and all other provisions of law requiring counties to operate under the countywide system of road administration beginning October 1, 2004, and the board of supervisors of that county may construct and maintain the county roads and bridges on a road district or beat system in accordance with any applicable provisions of general law or may, in its discretion and at any time, by resolution duly adopted and entered on its minutes, require the county to operate on the countywide system of road administration in accordance with Section 19-2-3.

(ii) If a majority of the qualified electors participating in the election under paragraph (a) of this subsection in a county operating under the beat system of county government vote in favor of requiring the county to operate on a countywide system of road administration, then the county shall not be exempt from and shall be subject to the provisions of Section 19-2-3 and all other provisions of law requiring counties to operate under the countywide system of road administration beginning October 1, 2004. If, on the other hand, in any such county, a majority of the qualified electors participating in the election vote against requiring the county to operate on a countywide system of road administration, then the county shall be

exempt from the provisions of Section 19-2-3 and all other provisions of law requiring counties to operate under the countywide system of road administration, and the board of supervisors of that county may continue to construct and maintain the county roads and bridges on a road district or beat system in accordance with any applicable provisions of general law or may, in its discretion and at any time, by resolution duly adopted and entered on its minutes, require the county to operate on the countywide system of road administration in accordance with Section 19-2-3.

(d) If in any election held in a county under paragraph (a) of this subsection a majority of the qualified electors participating in the election vote either for returning to the beat system of county government or for remaining under the beat system of county government, then an election on such question may"

AMEND FURTHER the title by striking the language beginning after the word "STATE" on line 3 through the word "SYSTEM" on line 5 and inserting the following in lieu thereof: "TO DETERMINE IF THE PEOPLE WISH THE COUNTY TO BE OPERATED ON A COUNTYWIDE SYSTEM OF ROAD ADMINISTRATION OR ON THE BEAT SYSTEM"