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SUPREME COURT OF ALABAMA

SPECIAL TERM, 2015

OPINION OF THE JUSTICES

No. 392

OPINION ISSUED SEPTEMBER 30, 2015

The Honorable Robert Bentley
Governor of Alabama
Alabama State Capitol
Montgomery, Alabama 36130

Dear Governor Bentley:

We have received your letter of September 23, 2015, in which you request an advisory opinion on the following constitutional questions:

"1. Do any provisions of Act 2015-540 [the general appropriations bill for fiscal year 2016,]

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violate sections 42 and 43 of the Alabama Constitution, impermissibly encroaching upon the powers of the executive branch?

"2. Does item 1 and/or 4, above, of Act 2015-540 [regarding how agencies are to handle reductions in appropriations] violate section 213 of the Alabama Constitution, if the relevant appropriations are insufficient to pay for the services provided?

"3. Do any provisions of Act 2015-540, stated above [in the Governor's letter], violate section 71 of the Alabama Constitution by including matters in the general appropriations bill in addition to appropriations?"

We respectfully decline your request for an advisory opinion.

QUESTIONS DECLINED.

Respectfully Submitted,

/s/ Roy S. Moore
Roy S. Moore
Chief Justice

/s/ Lyn Stuart
Lyn Stuart

/s/ Michael F. Bolin
Michael F. Bolin

/s/ Tom Parker
Tom Parker

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/s/ Greg Shaw
Greg Shaw

/s/ A. Kelli Wise
A. Kelli Wise

/s/ Tommy Bryan
Tommy Bryan

Associate Justices