

1 HB339
2 127738-1
3 By Representatives Long, Roberts, Rich, Greer, Baughn, Johnson
4 (W), Patterson, Shiver, McMillan and Gaston
5 RFD: Economic Development and Tourism
6 First Read: 24-MAR-11

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8 SYNOPSIS: Under existing law, moneys earned by the
9 state parks through entrance fees, rentals, lodging
10 fees, and recreational fees go into a general
11 operating fund for the entire state parks division
12 of the Department of Conservation and Natural
13 Resources. Under existing law, the department is
14 responsible for the administration of the general
15 operating fund.

16 This bill would create a separate fund for
17 each state park.

18 This bill would provide that two percent of
19 the gross revenue of each state park would be
20 deposited into separate funds in the State Treasury
21 and earmarked for use by the park where the
22 revenues were generated.

23 This bill would create a local board that
24 would determine how the revenue would be spent.

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26 A BILL
27 TO BE ENTITLED

1 AN ACT

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3 To amend Section 9-2-107, Code of Alabama 1975,
4 relating to the State Park Revolving Fund; to provide for the
5 establishment of a separate fund for each state park and to
6 provide that a percentage of the gross revenue for each state
7 park shall be deposited into the fund for that state park and
8 continuously appropriated to it annually; and to provide for
9 the expenditure of the fund as administered by a local board
10 for each park.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. The Legislature finds that local
13 oversight and upkeep of the state parks is essential to the
14 successful promotion of tourism and economic development in
15 the state. The Legislature further finds that to promote
16 tourism and economic development, a separate fund for each
17 state park should be created to be expended by the local park.

18 Section 2. Section 9-2-107, Code of Alabama 1975, is
19 amended to read as follows:

20 "§9-2-107.

21 "(a) In addition to the State Park Fund established
22 by Section 9-2-106, there is also hereby created and
23 established a fund to be known as the State Park Revolving
24 Fund, which fund shall be constituted from all moneys received
25 for admissions charged or rentals, sales of goods or services
26 and such other miscellaneous charges collected by the
27 Department of Conservation and Natural Resources in the

1 operation of its state parks, monuments, historical sites and
2 other facilities. The Commissioner of Conservation and Natural
3 Resources, with the approval of the state Department of
4 Finance, is authorized and empowered to provide for and open
5 an account or accounts at any state or federal bank whose
6 deposits are insured within the State of Alabama for the
7 purpose of providing a depository or depositories for said
8 revolving fund. The Commissioner of Conservation and Natural
9 Resources is further authorized and empowered to draw on or
10 make expenditures from ~~said~~ the revolving fund for the
11 purchase of goods for resale, equipment purchases, payment of
12 utilities, salaries of employees and any other normal
13 operating costs of park facilities, including normal
14 maintenance costs. Said revolving fund shall be subject to
15 examination and audit as other funds of the state are examined
16 and audited. The Commissioner of Conservation and Natural
17 Resources, with the approval of the state Department of
18 Finance and the Chief Examiner of Public Accounts, shall by
19 regulation provide the procedure for making deposits and
20 withdrawals from said revolving fund together with such other
21 accounting procedures as may be needed, including the setting
22 of bonds for persons empowered to handle ~~said~~ the fund. The
23 Commissioner of Conservation and Natural Resources, with the
24 approval of the Governor, may at the close of any state fiscal
25 year transfer to the State Parks Fund from said revolving fund
26 such moneys as may be deemed excess to the purpose or purposes
27 of the revolving fund.

1 "(b) (1) Notwithstanding subsection (a), there is
2 created for each state park a separate fund. At the beginning
3 of each fiscal year, two percent of the gross revenue from
4 each state park for the previous fiscal year shall be
5 deposited into the separate fund designated for the state park
6 from which the revenue was derived and continuously
7 appropriated to that state park for its use.

8 "(2) The fund for each park shall be administered by
9 a board. The board of the state park may expend the moneys in
10 its fund for the operation, upkeep, maintenance, improvement,
11 and renovation of the state park. The board shall be comprised
12 of all of the following, each of whom shall serve at the
13 pleasure of the appointing authority:

14 "a. The manager of the park.

15 "b. One person who lives in the community in which
16 the park is located appointed by the legislative delegation
17 representing any portion of the area in which the park is
18 located.

19 "c. One person who is a member of the legislative
20 delegation in the geographic area of the state where the park
21 is located."

22 Section 3. This act shall become effective on the
23 first day of the third month following its passage and
24 approval by the Governor, or its otherwise becoming law.