

1 HB542  
2 150499-1  
3 By Representatives Tuggle, Newton (C) and McMillan  
4 (Constitutional Amendment)  
5 RFD: Ways and Means General Fund  
6 First Read: 02-APR-13

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8 SYNOPSIS: This bill would propose an amendment to the  
9 Constitution of Alabama of 1901, to increase the  
10 total amount of bonding authority granted under  
11 Amendment 666 to the Constitution of Alabama of  
12 1901, as amended; to provide for additional  
13 payments from the Alabama Trust Fund to fund any  
14 bonds issued; to provide for competitive bidding of  
15 the bonds; to require the Bond Commission to  
16 contract with businesses or individuals which  
17 reflect the racial and ethnic diversity of the  
18 state; and to provide for the use of the proceeds  
19 for plans, construction, and maintenance of Alabama  
20 National Guard armories.

21  
22 A BILL  
23 TO BE ENTITLED  
24 AN ACT

25  
26 To propose an amendment to the Constitution of  
27 Alabama of 1901, to increase the total amount of bonding

1 authority granted under Amendment 666 to the Constitution of  
2 Alabama of 1901, as amended; to provide for additional  
3 payments from the Alabama Trust Fund to fund any bond issued;  
4 to provide for competitive bidding of the bonds; to require  
5 the Bond Commission to contract with businesses or individuals  
6 which reflect the racial and ethnic diversity of the state;  
7 and to provide for the use of the proceeds for plans,  
8 construction, and maintenance of Alabama National Guard  
9 armories.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 PROPOSED AMENDMENT

18 (a) The authority granted to the State of Alabama to  
19 become indebted and to sell and issue its interest-bearing  
20 General Obligation bonds, in addition to all other bonds of  
21 the state, under Amendment 666 to the Constitution of Alabama  
22 of 1901, as amended, is hereby increased by an additional  
23 amount of fifty million dollars (\$50,000,000).

24 (b) All of the bonds shall be sold only at public  
25 sale or sales, either on sealed bids or at public auction,  
26 after such advertisement as may be prescribed by the Bond  
27 Commission, to the bidder whose bid reflects the lowest true

1 interest cost to the state computed to the respective  
2 maturities of the bonds sold; provided, that if no bid deemed  
3 acceptable by the commission is received all bids may be  
4 rejected.

5 (c) Relative to issuance expenses, contracts, and  
6 appointments incurred in connection with the issuance of  
7 bonds, the Bond Commission created in Section IX of Amendment  
8 666 to the Constitution of 1901, shall contract with  
9 businesses or individuals which reflect the racial and ethnic  
10 diversity of the state.

11 (d) Bonds issued pursuant to this amendment shall be  
12 issued for a maturity of 20 years or less.

13 (e) All of the proceeds from the bonds shall be  
14 distributed to the Armory Commission of Alabama for plans,  
15 construction, and maintenance of Alabama National Guard  
16 armories.

17 (f) In addition to any Oil and Gas Capital Payments  
18 received by the Alabama Trust Fund paid into the Alabama  
19 Capital Improvement Trust Fund pursuant to Amendment 666, so  
20 much as shall be necessary of all Oil and Gas Capital Payments  
21 received by the Alabama Trust Fund during any fiscal year  
22 shall be paid into the Alabama Capital Improvement Trust Fund  
23 to pay the principal and interest on the bonds authorized by  
24 this amendment.

25 (g) In all other respects regarding the Alabama  
26 Trust Fund, the terms and provisions of Amendment 666 and

1 Amendment 856 to the Constitution of Alabama of 1901, as  
2 amended, are unchanged and remain in full force and effect.

3 Section 2. An election upon the proposed amendment  
4 shall be held in accordance with Sections 284 and 285 of the  
5 Constitution of Alabama of 1901, now appearing as Sections 284  
6 and 285 of the Official Recompilation of the Constitution of  
7 Alabama of 1901, as amended, and the election laws of this  
8 state.

9 Section 3. The appropriate election official shall  
10 assign a ballot number for the proposed constitutional  
11 amendment on the election ballot and shall set forth the  
12 following description of the substance or subject matter of  
13 the proposed constitutional amendment:

14 "Proposing an amendment to the Constitution of  
15 Alabama of 1901, as amended, relating to the Capital  
16 Improvement Trust Fund, to increase the amount of the General  
17 Obligation Bonds authorized herein; to provide for additional  
18 payments from the Alabama Trust Fund to fund any bond issued;  
19 to provide for competitive bidding of the bonds; and to  
20 provide for the distribution of the proceeds for plans,  
21 construction, and maintenance of Alabama National Guard  
22 armories.

23 "Proposed by Act \_\_\_\_\_."

24 This description shall be followed by the following  
25 language:

26 "Yes ( ) No ( )."