

1 SB267
2 172818-5
3 By Senators Hightower, Figures, Glover, Ward, Waggoner, Marsh,
4 Pittman and Albritton (Constitutional Amendment)
5 RFD: Finance and Taxation General Fund
6 First Read: 17-FEB-16

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8 SYNOPSIS: This proposed amendment shall be known as
9 the Alabama Strategic Investment Initiative.

10 This bill would propose an amendment to the
11 Constitution of Alabama of 1901, to provide for the
12 distribution and use of certain payments received
13 by the state from settlements and other monies.

14 The proposed amendment also would require
15 the Legislature to enact legislation creating an
16 authority to issue revenue bonds using any
17 Deepwater Horizon Oil Spill Disaster Settlement to
18 fund the bond payments and require distribution of
19 amounts from such bond issuance for certain
20 purposes.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 Proposing an amendment to the Constitution of
27 Alabama of 1901, to provide for the distribution and

1 appropriations of payments from settlements and other monies;
2 and to authorize the issuance of revenue bonds using any
3 Deepwater Horizon Oil Spill Disaster Settlement monies.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. The following amendment to the
6 Constitution of Alabama of 1901, as amended, is proposed and
7 shall become valid as part thereof following approval by a
8 majority of the qualified electors voting thereon in
9 accordance with Sections 284, 285, and 287 of the Constitution
10 of Alabama of 1901, appearing as Sections 284 and 285 of
11 Official Recompilation of the Constitution of Alabama of 1901
12 as amended:

13 PROPOSED AMENDMENT

14 Section I. This amendment shall be known and may be
15 cited as the Alabama Strategic Investment Initiative.

16 Section II. For the purposes of this amendment, the
17 following terms shall have the following meanings:

18 (a) DEEPWATER HORIZON OIL SPILL SETTLEMENT. Any
19 settlement for economic damages in relation to Deepwater
20 Horizon MDL 2179 (E.D. La.) concerning the State of Alabama
21 and associated with the oil spill disaster in the Gulf of
22 Mexico on April 20, 2010, that is not otherwise dedicated
23 under federal law.

24 (b) FISCAL YEAR. The fiscal year of the state as may
25 from time to time be provided by law.

26 (c) STATE. The State of Alabama.

1 Section III. (a) Settlement proceeds from the
2 Deepwater Horizon Oil Spill Settlement shall follow Section
3 III and be distributed in the following order:

4 (1) To repay the General Fund Rainy Day Account for
5 the \$161,565,874 transferred to the State General Fund in
6 fiscal year 2010 pursuant to Amendment 803 of the Constitution
7 of Alabama of 1901; and

8 (2) To supplement existing allocated revenues or any
9 planned revenues, whether federal, state, or local, for
10 Baldwin County and Mobile County not to exceed \$439,000,000 to
11 be expended in the following order:

12 a. To the Department of Transportation to
13 supplement, and in no way decrease, revenues currently
14 allocated or planned in the Department's long-range five-year
15 federal-aid highway plan for the following projects:

16 (i) Highway 98 Completion;

17 (ii) I-10 to I-65 Beach Expressway Completion;

18 (iii) Rangeline Road Extension; and

19 b. \$50,000,000 to the Strengthen Alabama Homes Fund
20 for residential property owner grants to retrofit insurable
21 property to resist loss due to hurricane, tornado, or other
22 catastrophic wind events.

23 (b) If any funding becomes available, such as
24 federal or local matching funds, in addition to any revenues
25 currently allocated or planned for the projects in subsection
26 (a)(2) above, the funding from Deepwater Horizon Oil Spill
27 Settlement shall be correspondingly decreased where possible.

1 (c) If any funds remain after completion of the
2 expenditures in subsection (a), the remaining shall be
3 expended for the repayment of the Alabama Trust Fund for
4 amounts transferred to the State General Fund over fiscal
5 years 2013, 2014, and 2105 pursuant to Amendment 856 of the
6 Constitution of Alabama of 1901.

7 Section IV. The Legislature shall enact appropriate
8 legislation creating an authority to issue revenue bonds from
9 which the sources of payment of the bonds shall be any
10 Deepwater Horizon Oil Spill Disaster Settlement. The principal
11 amount of authority obligations shall not exceed the total
12 amount of the Deepwater Horizon Oil Spill Disaster Settlement.
13 The proceeds from such bond issuance shall be used to pay the
14 costs of issuing the bonds and as specified in Section III.
15 Bonds issued by the authority shall be solely and exclusively
16 an obligation of the authority and shall not create an
17 obligation or debt of the state. The Legislature may further
18 enact legislation implementing the provisions of this
19 amendment.

20 Section V. This amendment shall be self-executing.
21 The Legislature may enact laws supplemental to this amendment
22 that are in furtherance of the purposes and objectives of this
23 amendment and not inconsistent with this amendment.

24 Section VI. All laws or parts of laws in conflict
25 with this amendment are repealed, including, without
26 limitation, Section 36-15-4.2, Code of Alabama 1975, as
27 amended.

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

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

12 "Proposing an amendment to the Constitution of
13 Alabama of 1901, to provide for the distribution of Deepwater
14 Horizon Oil Spill Disaster Settlement proceeds and certain
15 bond proceeds of the state; to allow the Legislature to create
16 a bond authority and provide implementation legislation; and
17 to pledge the Deepwater Horizon Oil Spill Disaster Settlement
18 as debt service for the issuance of revenue bonds. This
19 amendment shall be known as the Alabama Strategic Investment
20 Initiative.

21 "Proposed by Act _____"

22 This description shall be followed by the following
23 language:

24 "Yes () No ()."