

1 HB565  
2 212243-1  
3 By Representatives Ledbetter and Kitchens (Constitutional  
4 Amendment)  
5 RFD: Ways and Means General Fund  
6 First Read: 30-MAR-21

8 SYNOPSIS: The Alabama State Parks Division of the  
9 Department of Conservation and Natural Resources  
10 operates and maintains 21 state parks throughout  
11 the state.

12 This bill would propose an amendment to the  
13 Constitution of Alabama of 1901, authorizing the  
14 issuance of general obligation bonds of the State  
15 of Alabama in an aggregate principal amount not  
16 exceeding \$80,000,000 for the improvement,  
17 renovation, equipping, acquisition, provision,  
18 construction, and maintenance of the Alabama state  
19 parks under the jurisdiction of the Department of  
20 Conservation and Natural Resources.

22 A BILL  
23 TO BE ENTITLED  
24 AN ACT

25  
26 To propose an amendment to the Constitution of  
27 Alabama of 1901, authorizing the issuance of general

1 obligation bonds of the State of Alabama in an aggregate  
2 principal amount not exceeding a specified amount for the  
3 improvement, renovation, equipping, acquisition, provision,  
4 construction, and maintenance of the Alabama state parks under  
5 the jurisdiction of the Department of Conservation and Natural  
6 Resources.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

14 PROPOSED AMENDMENT

15 (a) (1) The State of Alabama is authorized to become  
16 indebted for the purpose of the improvement, renovation,  
17 equipping, acquisition, provision, construction, and  
18 maintenance of Alabama state parks under the jurisdiction of  
19 the Department of Conservation and Natural Resources and in  
20 evidence of the indebtedness so incurred, to sell and issue  
21 bonds, in addition to all other bonds of the state, not  
22 exceeding eighty million dollars (\$80,000,000) in aggregate  
23 principal amount.

24 (2) The bonds shall be direct general obligations of  
25 the state, and the full faith and credit and taxing power of  
26 the state are hereby pledged to the prompt and faithful  
27 payment of the principal thereof and the interest thereon. All

1 of the bonds shall be issued for the state by the Alabama  
2 State Parks Enhancement Authority, created by this amendment  
3 and further provided for by general law, pursuant to the  
4 appropriate resolutions adopted by the board of directors of  
5 the authority, and the proceeds thereof shall be appropriated  
6 and used exclusively for the purpose of paying the expenses  
7 incurred in the sale and issuance of the bonds and for payment  
8 of the costs of the improvement, renovation, acquisition,  
9 provision, construction, equipping, and maintenance of Alabama  
10 state parks under the jurisdiction of the Department of  
11 Conservation and Natural Resources.

12 (3) The improvement, renovation, equipping,  
13 acquisition, provision, construction, and maintenance of  
14 Alabama state parks under the jurisdiction of the Department  
15 of Conservation and Natural Resources shall be completed in  
16 accordance with plans developed by the Department of  
17 Conservation and Natural Resources. Upon completion, all  
18 improvements, renovations, fixtures, equipment, and real or  
19 personal property shall become property of the Department of  
20 Conservation and Natural Resources.

21 (b) The state is further authorized to become  
22 indebted and in evidence thereof to sell and issue one or more  
23 series of bonds to refund all or any of the bonds authorized  
24 by this amendment in the principal amount or amounts, which  
25 may exceed the principal amount of the bonds being refunded,  
26 and in the manner as may be provided in general law.

1           (c) The authority is hereby vested with the power  
2 and authority to provide for the sale and terms of the bonds  
3 authorized and the issuance thereof, subject to the approval  
4 of the Governor. The bonds may be sold, executed, and  
5 delivered at any time and from time to time, may be in such  
6 forms, denominations, series, and numbers, may be of such  
7 tenor and maturities, may bear such date or dates, may be  
8 payable in such installments and at such place or places, may  
9 bear interest at such rate or rates payable and evidenced in  
10 such manner, and may contain provisions for redemption at the  
11 option of the state to be exercised by the authority at such  
12 date or dates prior to their maturity and upon payment of such  
13 redemption price or prices, all as shall be provided by the  
14 authority in the resolution or resolutions under which the  
15 bonds are issued. The principal of each series of bonds shall  
16 mature on such date and in such amounts as shall be specified  
17 in the resolution or resolutions of the board of directors of  
18 the authority, the last of which installments shall mature not  
19 later than 20 years after the date of the bonds of the same  
20 series. Bonds of the authority, including refunding bonds, may  
21 be sold either at public sale or private sale. Bonds sold by  
22 competitive bid must be sold, whether on sealed bids or at  
23 public auction, after advertisement as may be prescribed by  
24 the authority, to the bidder whose bid reflects the lowest  
25 true interest cost to the state computed to the respective  
26 maturities of the bonds sold; provided, that if no bid deemed

1 acceptable by the authority is received, all bids may be  
2 rejected.

3 (d) The bonds shall be signed in the name of the  
4 state by the Governor, and the Great Seal of the State of  
5 Alabama or a facsimile thereof shall be impressed, printed, or  
6 otherwise reproduced thereon and shall be attested by the  
7 signature of the Secretary of State; provided, that facsimile  
8 or electronic signatures of either or both of the officers may  
9 be reproduced on the bonds in lieu of manual signatures.

10 (e) All bonds issued under this amendment, together  
11 with the interest income thereon, shall forever be exempt from  
12 all taxation in the state, except inheritance, estate, and  
13 gift taxes.

14 (f) The proceeds from the sale of the bonds by the  
15 Alabama State Parks Enhancement Authority authorized by this  
16 amendment, other than refunding bonds, after the payment of  
17 all expenses of the sale thereof, shall be set apart in a  
18 special fund in the State Treasury to be designated the  
19 Alabama State Parks Enhancement Fund, and the proceeds,  
20 together with income derived from the investment and  
21 reinvestment thereof, shall be temporarily invested until  
22 needed and disbursed, on order of the authority solely for the  
23 purposes, hereinabove described, for which the bonds are  
24 authorized to be issued.

25 (g) No further authorization from the Legislature  
26 shall be a prerequisite to the validity of any bonds issued  
27 under this amendment. However, the Legislature shall enact

1 appropriate legislation implementing this amendment, including  
2 provisions for the issuance of refunding bonds as authorized  
3 by this amendment.

4 (h) The Alabama State Parks Enhancement Authority,  
5 to the extent practiced, shall strive to use businesses and  
6 companies in all aspects of the bond and construction portions  
7 authorized by this amendment that reflect the racial and  
8 ethnic diversity of the state.

9 Section 2. An election upon the proposed amendment  
10 shall be held at the next statewide primary election in 2022  
11 in accordance with Sections 284 and 285 of the Constitution of  
12 Alabama of 1901, now appearing as Sections 284 and 285 of the  
13 Official Recompilation of the Constitution of Alabama of 1901,  
14 as amended, and the election laws of this state.

15 Section 3. The appropriate election official shall  
16 assign a ballot number for the proposed constitutional  
17 amendment on the election ballot and shall set forth the  
18 following description of the substance or subject matter of  
19 the proposed constitutional amendment:

20 "Proposing an amendment to the Constitution of  
21 Alabama of 1901, authorizing the issuance and sale of general  
22 obligation bonds of the State of Alabama of up to \$80,000,000  
23 for the purposes of the improvement, renovation, equipping,  
24 acquisition, provision, construction, and maintenance of  
25 Alabama state parks under the jurisdiction of the Department  
26 of Conservation and Natural Resources.

27 "Proposed by Act \_\_\_\_\_."

1                    This description shall be followed by the following  
2       language:  
3                    "Yes ( ) No ( )."