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3 ALLEN SENATE FLOOR SUBSTITUTE FOR SB327  
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8 SYNOPSIS: This bill would create the Healing History  
9 Act and would establish the Tuskegee Airmen Freedom  
10 Fund in the State Treasury, to be administered by  
11 the Alabama State Council on the Arts, to provide  
12 for the commissioning of public art in the state.  
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14 A BILL  
15 TO BE ENTITLED  
16 AN ACT  
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18 To create the Healing History Act; to provide  
19 legislative findings; and to establish the Tuskegee Airmen  
20 Freedom Fund in the State Treasury, administered by the  
21 Alabama State Council on the Arts, to provide for the  
22 commissioning of public art.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. (a) This section shall be known and cited  
25 as the Healing History Act.

26 (b) The Legislature finds and declares all of the  
27 following:

1 (1) The time for healing our history is now.

2 (2) Monuments and memorials that date from the  
3 infancy of this state to the present, commemorating such  
4 individuals, causes, and events as the confederacy, women's  
5 suffrage, the civil rights movement, and indigenous peoples,  
6 should stand together representing and uplifting diverse  
7 perspectives and significant events of Alabama history.

8 (3) This inclusive healing history campaign, which  
9 represents another step towards fulfilling Dr. King's dream of  
10 the Beloved Community where women, men, boys, and girls stand  
11 and sit together at the "table of brotherhood," should begin  
12 at the foot of the Edmund W. Pettus Bridge in historic Selma,  
13 Alabama.

14 (c) (1) The Tuskegee Airmen Freedom Fund is created  
15 in the State Treasury. Any monetary interest that accrues to  
16 the fund and any monies in the fund at the end of the fiscal  
17 year shall remain in the fund and shall not revert to the  
18 State General Fund. No funds shall be withdrawn or expended  
19 except as budgeted and allocated in accordance with Sections  
20 41-4-80 through 41-4-96, inclusive, and Sections 41-19-1  
21 through 41-19-12, inclusive, Code of Alabama 1975, and only in  
22 the amounts authorized by the Legislature in the general  
23 appropriation bill or other appropriation bills.

24 (2) The fund shall consist of all monies collected  
25 or received pursuant to Section 40-8-3, Code of Alabama 1975,  
26 and all grants, appropriations, gifts, donations, and other  
27 sources for the purposes of administering the fund. The

1 Alabama State Council on the Arts shall develop guidelines,  
2 policies, procedures, applications, and deadlines related to  
3 the administration of the fund.

4 (3) The fund shall be administered by the Alabama  
5 State Council on the Arts to accomplish all of the following:

6 a. Accepting and reviewing grant applications for  
7 the commissioning of public art including, but not limited to,  
8 sculptures, monuments, memorials, murals, exhibitions,  
9 installations, and related educational materials and  
10 programming.

11 b. Accepting and reviewing grant applications for  
12 the planning, design, and construction related to  
13 commissioning new public art or monuments that may be placed  
14 near monuments and memorials representing divergent  
15 perspectives, to provide an inclusive perspective of history  
16 while uniting themes under a healing history campaign  
17 developed by the Alabama Humanities Alliance.

18 (d) (1) There is created a Tuskegee Airmen Freedom  
19 Fund Applicant Review Commission within the Alabama State  
20 Council on the Arts. The commission shall review requests  
21 submitted to the Alabama State Council on the Arts for the  
22 funding of new or existing projects from the Tuskegee Airmen  
23 Freedom Fund, and shall approve, approve in part, or deny  
24 those requests. The membership of the commission, which shall  
25 be reconstituted every three years by July 1, shall consist of  
26 three members appointed by the Executive Director of the  
27 Alabama State Council on the Arts and two members appointed by

1 the Governor. Members may include legislators serving in  
2 leadership positions with the Legislature, and vacancies in  
3 the commission shall be filled by the original appointing  
4 authority for the remainder of the unexpired term.

5 (2) The Executive Director of the Alabama State  
6 Council on the Arts may establish one or more temporary or  
7 permanent advisory committees, as necessary to provide for the  
8 implementation of this section. An advisory committee created  
9 pursuant to this subdivision shall serve at the pleasure of  
10 the executive director.

11 (3) The appointing authorities shall coordinate  
12 their appointments to assure that the membership of the  
13 applicant review commission and each advisory committee  
14 created is inclusive and reflects the racial, gender,  
15 geographic, urban, rural, and economic diversity of the state.

16 (e) (1) The Alabama State Council on the Arts may  
17 accept public or private gifts, grants, and donations,  
18 including in-kind services, for use in fulfilling any duties  
19 imposed by this act, and may also use funds appropriated to  
20 the Alabama State Council on the Arts by the Legislature, if  
21 necessary. These funds shall be supplemental to any and all  
22 other appropriations made to the Alabama State Council on the  
23 Arts. No funds provided pursuant to this act shall be  
24 construed to be in lieu of annual appropriations to the  
25 Alabama State Council on the Arts, and no revenues received by  
26 the Alabama State Council on the Arts from the Tuskegee Airmen

1 Freedom Fund shall replace or supplant other annual  
2 appropriations to the Council on the Arts.

3 (2) In the event funds are appropriated to the  
4 Alabama State Council on the Arts by the Legislature, the  
5 executive director shall submit biannual reports regarding the  
6 status of the project, and requests for additional funding, to  
7 the appropriate budget chairs.

8 (3) Up to 15 percent of the annual revenues  
9 deposited into the Tuskegee Airmen Freedom Fund may be used  
10 for the compensation and benefits of staff and other  
11 administrative costs deemed necessary to implement and manage  
12 this act and programs created pursuant to this act.

13 Section 2. This act shall become effective on the  
14 first day of the third month following its passage and  
15 approval by the Governor, or its otherwise becoming law.