

HB159 ENGROSSED



1 HB159
2 SC4I585-2
3 By Representative Lovvorn
4 RFD: Boards, Agencies and Commissions
5 First Read: 04-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Space Science Exhibit Commission; to amend Sections 41-9-430, 41-9-431, 41-9-432, 41-9-436, and 41-9-439, Code of Alabama 1975; to rename the Alabama Space Science Exhibit Commission as the U.S. Space and Rocket Center Commission; to provide that the Governor serve as an ex officio nonvoting member of the commission; to provide further for terms; to authorize interested public and private partners to provide facilities for U.S. Space and Rocket Center exhibits; to specify that the commission operates outside of the State Treasury; to provide further for the duties of the commission; to amend Sections 36-16-8 and 41-10-303, Code of Alabama 1975; to exempt historical artifacts held by the commission from the biannual personal property inventory audit conducted by the Property Inventory Control Division of the State Auditor's office; to authorize the Alabama Space Science Exhibit Finance Authority to rename the authority as the U.S. Space and Rocket Center Finance Authority; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29 Section 1. Sections 41-9-430, 41-9-431, 41-9-432,
30 41-9-436, and 41-9-439 of the Code of Alabama 1975, are
31 amended to read as follows:

32 "§41-9-430

33 (a) (1) There is hereby created and established a state
34 agency to be known as the Alabama Space Science Exhibit
35 Commission, which shall be a public body corporate with all
36 the powers and privileges of a corporation, for the purpose of
37 providing for and participating in the management and control
38 of facilities to house and display such visual exhibits of
39 space exploration and hardware used therefor as may be made
40 available by the National Aeronautics and Space
41 Administration. ~~Such~~ The facility shall constitute a permanent
42 housing for the national aeronautics and space administration
43 exhibit, which shall be open to the general public and shall
44 be located at a place to be designated and made available in
45 Madison County for a nominal cost through the cooperation of
46 the Department of the Army and other public and private
47 partners, where feasible, or at such other locations as the
48 commission may deem appropriate.

49 (2)a. Commencing on October 1, 2025, the name of the
50 Alabama Space Science Exhibit Commission shall be the U.S.
51 Space and Rocket Center Commission, and all rights, duties,
52 property, real or personal, and all other effects existing in
53 the name of the Alabama Space Science Exhibit Commission, or
54 in any other name by which the commission has been known,
55 shall continue in the name of the U.S. Space and Rocket Center
56 Commission. Any existing or future reference to the Alabama



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57 Space Science Exhibit Commission, or any other name by which
58 the commission has been known, in any existing law, contract,
59 or other instrument, shall constitute a reference to the U.S.
60 Space and Rocket Center Commission.

61 b. A reasonable transition period for the name change
62 shall be allowed to permit an orderly and cost-effective
63 transition relating particularly to the use of equipment and
64 supplies. All letterhead, business cards, forms, and any other
65 materials in use by the commission containing the name Alabama
66 Space Science Exhibit Commission shall continue to be used by
67 the U.S. Space and Rocket Center Commission until the supplies
68 are exhausted. Replacement supplies shall contain the name of
69 the U.S. Space and Rocket Center Commission.

70 (3) The commission is further empowered to provide such
71 may do any of the following:

72 a. Provide facilities as will be mutually agreed upon
73 between the commission and the Department of the Army, or
74 other public and private partners, where feasible, for the
75 housing and display of army weaponry and mementos of national
76 defense.

77 b. The commission is further empowered to establish
78 Establish an energy information and exhibit center in order to
79 provide information to the public on research and development
80 in the field or energy as developed by the National
81 Aeronautics and Space Administration, the Department of the
82 Army, the Energy Research and Development Administration,
83 other federal and state agencies, including universities and
84 colleges, and other public and private sectors engaged in



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85 energy related activities.

86 ~~c. The commission is further empowered to construct~~
87 Construct or otherwise acquire, whether by purchase,
88 construction, exchange, gift, lease, or otherwise, lodging and
89 other similar facilities, including parking facilities and
90 facilities for meetings, ~~(provided said items are constructed~~
91 ~~within one mile of the Alabama Space and Rocket Center),~~ for
92 use by visitors to the permanent exhibit of the commission and
93 users of the commission's visitors' center. In connection
94 therewith, the commission may acquire any land or construct or
95 acquire buildings or other improvements and all real and
96 personal properties deemed necessary by the commission for
97 such purpose, whether or not now in existence. The commission
98 may lease to others any ~~such~~ facilities and may also lease
99 lands of the commission on which ~~such~~ the facilities may be
100 constructed and charge and collect rent therefor, and
101 terminate any ~~such~~ lease upon the failure of the lessee to
102 comply with any of the obligations thereof. The commission may
103 also sell, exchange, or convey and grant options to any lessee
104 to acquire any ~~such~~ facilities and may lease lands of the
105 commission on which ~~such~~ the facilities may be constructed
106 whenever the commission shall find any ~~such~~ action to be in
107 furtherance of the purpose for which the commission was
108 organized."

109 "§41-9-431

110 (a) The commission created by Section 41-9-430 shall
111 consist of 18 members, ~~to be~~ appointed by the Governor, who
112 shall be bona fide residents and qualified voters of this



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113 state, at least three of whom shall be residents of Madison
114 County. ~~The remaining members of the commission shall be~~
115 ~~appointed from throughout the state in such manner as to~~
116 ~~provide general statewide representation on the commission,~~
117 but all Governor shall serve as an ex officio nonvoting member
118 of the commission whose absence does not affect a quorum. The
119 Governor shall coordinate his or her appointments to assure
120 the commission membership is inclusive and reflects the
121 racial, gender, geographic, urban, rural, and economic
122 diversity of the state. All members shall be qualified persons
123 individuals of unquestioned loyalty to this country who are
124 knowledgeable and interested in national defense and space
125 exploration and in the promotion of interest in such those
126 fields. Nine of the original members shall be appointed for
127 terms of four years, and nine of the original members shall be
128 appointed for terms of eight years. Thereafter Commencing on
129 October 1, 2025, as terms expire, all members shall serve for
130 terms of eight six years, with a limit of two full consecutive
131 terms. Terms served before or being served on October 1, 2025,
132 do not count toward the two full consecutive term limit. A
133 member who has served for two full consecutive terms after
134 October 1, 2025, may not be appointed to any additional terms
135 for at least six years following the consecutive service. All
136 members shall serve until their successors are appointed and
137 qualified, but any member may be removed by the Governor for
138 just cause. Vacancies shall be filled for the unexpired term
139 in the same manner as original appointments are made. Service
140 for an unexpired term does not constitute service for a full



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141 term for purposes of term limits.

142 (b) The ~~first chairman~~ chair of the commission shall be
143 appointed by the Governor from among the original appointees.
144 Thereafter, each succeeding chairman shall be selected by the
145 other members membership of the commission.

146 (c) Members of the commission shall serve without
147 compensation.

148 (d) Members and employees of the commission shall be
149 reimbursed for actual expenses incurred on behalf of the
150 commission in the development, operation, promotion, and
151 expansion of ~~its~~ commission programs and activities.

152 (e) The commission shall hold at least one annual
153 meeting at the site of the exhibit, and ~~one half~~ one-half of
154 the members shall constitute a quorum for the transaction of
155 any business which may properly come before the commission at
156 any such meeting.

157 (f) The commission ~~shall be authorized to~~ may provide
158 for an executive committee of not fewer than five ~~of its~~
159 commission members to whom ~~it~~ the commission may delegate such
160 powers and authority as the commission may deem to be
161 advisable."

162 "§41-9-432

163 The commission ~~shall be authorized~~ may do all of the
164 following:

165 (1) ~~To investigate~~ Investigate and select an available
166 site for housing the exhibits, including the surrounding
167 grounds, in cooperation with the Department of the Army ~~and,~~
168 the community, and other interested public or private



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169 partners, taking into consideration all pertinent factors
170 affecting the suitability of ~~such~~ the site~~†~~.

171 (2) ~~To acquire~~ Acquire by rent or lease agreement or
172 otherwise the necessary housing facilities and ~~to~~ establish,
173 improve, and enlarge the available facility, including
174 providing ~~it~~ the facility with necessary equipment,
175 furnishings, landscaping, and related facilities, including
176 parking areas and ramps, roadways, sewers, curbs, and
177 gutters~~†~~.

178 (3) ~~To enter~~ Enter into ~~such~~ contracts and cooperative
179 agreements with the local, state, and federal governments,
180 with agencies of ~~such~~ those governments, including the
181 Department of the Army and the National Aeronautics and Space
182 Administration, with other public or private individuals,
183 corporations, associations, and other organizations as the
184 commission may deem necessary or convenient to carry out the
185 purpose of this article, such contracts and agreements to
186 include leases to private industry~~†~~.

187 (4) ~~To borrow~~ Borrow money from private sources or ~~such~~
188 other sources as may be acceptable to the commission under
189 ~~such~~ terms and conditions as may be provided by law and, in
190 order to provide security for the repayment of any ~~such~~
191 private loans, ~~to~~ pledge ~~such~~ future revenues from admissions
192 and any other sources as may from time to time be necessary or
193 desirable~~†~~.

194 (5) ~~To issue~~ Issue and sell, subject to the approval of
195 the Governor, interest-bearing general obligation bonds not in
196 excess of ~~\$1,900,000.00~~ one million nine hundred thousand



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197 dollars (\$1,900,000) in principal amount as authorized by
198 constitutional amendment. ~~Such~~ The bonds shall be general
199 obligations of the State of Alabama with full faith and credit
200 and taxing power of the state to be pledged to the prompt and
201 faithful payment of the principal of the bonds and the
202 interest thereon. The proceeds from the sale of ~~such~~ the bonds
203 shall be used exclusively for the purpose of paying the
204 expenses incurred in the sale and issuance thereof and for the
205 construction, establishment, improvement, or enlargement and
206 equipment of building facilities and related grounds,
207 including the renewal or replacement of structural parts of
208 ~~such~~ the facility, but not including the purchase of the site
209 for ~~such~~ the facility~~†~~.

210 (6) ~~To issue~~ Issue and sell at any time and from time
211 to time its revenue bonds for the purpose of providing funds
212 to acquire, enlarge, improve, equip, and maintain a facility
213 and for the payment of obligations incurred for ~~such~~ those
214 purposes. The principal and interest on any ~~such~~ revenue bonds
215 shall be payable solely out of the revenues derived from the
216 project~~†~~.

217 (7) ~~To borrow~~ Borrow money and in evidence of ~~such~~ the
218 borrowing ~~to~~ issue and sell at any time and from time to time
219 its revenue bonds ~~(in addition to those authorized under~~
220 subdivisions (5) and (6) ~~hereof)~~ for the purpose of carrying
221 out the commission's power to construct or acquire lodging
222 facilities, as set out in Section 41-9-430, the principal of
223 and interest on which shall be payable solely out of the
224 revenues and receipts derived by the commission from the



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225 operation, leasing, or sale of the lodging facilities. The
226 resolution under which ~~such~~ the revenue bonds are authorized
227 to be issued and any mortgage and deed of trust or trust
228 indenture securing same may contain any agreements and
229 provisions respecting the operation, maintenance, and
230 insurance of the property covered by ~~said~~ the mortgage and
231 deed of trust or trust indenture, the use of the revenues and
232 receipts subject to ~~such~~ the mortgage and deed of trust or
233 trust indenture, the creation and maintenance of special funds
234 from ~~such~~ the revenues and receipts, the rights, duties, and
235 remedies of the parties to any ~~such~~ instrument and the parties
236 for the benefit of whom ~~such~~ the instrument is made, and the
237 rights and remedies available in the event of default as the
238 commission shall deem advisable and which are not in conflict
239 herewith. Each pledge, agreement, mortgage, and deed of trust
240 or trust indenture made for the benefit or security of any of
241 ~~such~~ the revenue bonds of the commission shall continue
242 effective until the principal of and interest on the bonds for
243 the benefit of which the same were made shall have been fully
244 paid. In the event of default in ~~such~~ payment or in any
245 agreements of the commission made as a part of the contract
246 under which ~~such~~ the revenue bonds were issued, whether
247 contained in the proceedings authorizing those bonds or in any
248 mortgage and deed of trust or trust indenture executed as
249 security therefor, ~~said~~ the payment may be enforced by
250 mandamus, the appointment of a receiver, or either of ~~said~~
251 these remedies, and foreclosure of ~~such~~ the mortgage and deed
252 of trust or trust indenture ~~may~~, if provided for in said



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253 instrument, may be had~~+~~.

254 (8) ~~To make such~~ Make contracts in the issuance of its
255 bonds as may seem necessary or desirable to assure their
256 marketability and ~~to~~ provide for their retirement by a pledge
257 of all or any revenue which may come to the commission from
258 the investment of the proceeds of the sale of ~~such~~ the bonds
259 or from any other source whatsoever~~+~~.

260 (9) ~~To accept~~ Accept public or private gifts, grants,
261 and donations~~+~~.

262 (10) ~~To acquire~~ Acquire property by purchase, lease,
263 gift, or license, ~~such power not to include the purchase of a~~
264 ~~site for the facility~~~~+~~.

265 (11) ~~To allocate~~ Allocate and expend funds from all
266 donations, income, and revenue from any source whatsoever
267 coming into its treasury for the fulfillment and
268 accomplishment of its duties and responsibilities in such
269 manner as may be necessary and appropriate for the perfection
270 of the purposes of this article~~+~~. The treasury of the
271 commission is not within the State Treasury.

272 (12) ~~To sell~~ Sell, convey, transfer, mortgage, lease,
273 or donate any property, franchise, grant, easement, license,
274 or lease or interest therein which ~~it~~ the commission may own
275 and to transfer, assign, sell, mortgage, convey, or donate any
276 right, title, or interest which it may have in any lease,
277 contract, agreement, license, or property~~+~~.

278 (13) ~~To employ~~ Employ a chief executive officer or an
279 executive director and ~~such~~ additional personnel as may be
280 necessary to accomplish the purposes of this article. The



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281 chief executive officer or executive director ~~and such~~
282 ~~additional personnel as may be employed by the commission will~~
283 shall serve at the pleasure of the commission. The commission
284 shall fix the compensation of the chief executive officer or
285 ~~executive director, and such additional personnel and such~~
286 ~~compensation~~ which shall be paid from the funds of the
287 commission. The commission shall designate the duties and
288 authority of the chief executive officer or executive director
289 ~~and such additional personnel~~. The chief executive officer or
290 ~~executive director and such~~ any additional personnel shall not
291 be subject to the ~~provisions of the~~ state Merit System Act;
292 provided, however, that they shall be eligible for
293 participation, in whole or in part, in the state health
294 insurance plan and benefits as provided in Sections 36-29-1
295 through 36-29-12, and they shall be eligible for
296 participation, in whole or in part, in the State Employees'
297 Retirement System under the ~~provisions of~~ Section 36-27-6
298 governing counties, cities, towns, and other quasi-public
299 ~~organizations of the state,~~ at the discretion of the
300 commission. The commission and the personnel of the commission
301 are not subject to the state calendar and other benefits
302 provided in Section 1-3-8, and may provide, by rule, for a
303 calendar, holiday schedule, and other employee benefits.

304 (14) ~~To make such~~ Adopt rules ~~and regulations~~ as the
305 commission may deem necessary and desirable to provide for the
306 operation, management, and control of the facility in
307 cooperation with the Department of the Army ~~and,~~ with the
308 National Aeronautics and Space Administration ~~,~~ and with other



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309 public or private partners, where feasible.

310 (15) ~~To expend~~ Expend funds of the commission in the
311 development, operation, promotion, and expansion of the
312 programs and activities of the commission including the
313 franchising, nationally and internationally, of the United
314 States Space Camp, a youth science program developed and owned
315 by the commission, ~~and~~ create, maintain, and operate
316 additional education programs in rocketry, space exploration,
317 astronomy, aviation, aeronautics, robotics, computer
318 programming, cybersecurity, and any other topic the commission
319 deems appropriate to fulfilling the educational mission and
320 mandate of the U.S. Space and Rocket Center.

321 (16) ~~To perform such~~ Perform other acts necessary or
322 incidental to the accomplishment of the purposes of this
323 article, whether or not specifically authorized in this
324 section, ~~and~~ not otherwise prohibited by law."

325 "§41-9-436

326 In view of the unique character and complexity of the
327 duties and responsibilities imposed on the commission by this
328 article, it is hereby specifically provided that ~~the~~
329 ~~commission shall have,~~ in addition to the power and authority
330 enumerated in Section 41-9-432, ~~the right, power and authority~~
331 ~~to~~ commission may:

332 (1) Develop and institute a program of promotion and
333 advertising of the exhibits and facilities provided for by
334 this article, ~~said.~~ The program of promotion and advertising
335 ~~to~~ shall be conducted by the commission both within and
336 without the state in such manner and to such extent as may be



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337 deemed economically advisable and appropriate by the
338 commission;

339 ~~(2) Purchase and acquire items of tangible personal~~
340 ~~property on a competitive bid basis in the manner prescribed~~
341 ~~by law for the purchase of such items by state trade schools,~~
342 ~~state junior colleges and state colleges and universities~~
343 ~~under the supervision and control of the State Board of~~
344 ~~Education, the city and county boards of education, the~~
345 ~~district boards of education of independent school districts,~~
346 ~~the county commissions and the governing bodies of the~~
347 ~~municipalities of the state and the governing boards of~~
348 ~~instrumentalities of counties and municipalities under~~
349 ~~Sections 41-16-50, 41-16-51 and 41-16-53 through 41-16-63_~~
350 Procure supplies and services in the same manner as an
351 educational or eleemosynary institution governed by a board of
352 trustees or other similar governing body pursuant to Section
353 41-4-124(b)(1); and

354 (3) Operate itself or, in its discretion enter into
355 lease agreement with a person or agency of its choosing to
356 operate, all concessions located in or on the grounds and
357 facilities operated by the commission, any such lease
358 agreement to be so designated as to provide maximum services
359 and convenience to the patrons of the exhibit center and to
360 provide reasonable revenue return to the commission."

361 "§41-9-439

362 The provisions of this article shall be construed
363 liberally, it being the purpose to provide in this state
364 appropriate housing facilities for displaying to the general



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365 public exhibits of the Department of the Army and of the
366 National Aeronautics and Space Administration, in cooperation
367 with public and private partners, if feasible, and for
368 providing for the management and control of that portion of
369 the display furnished and supplied by the National Aeronautics
370 and Space Administration by such means as may be feasible and
371 agreed upon."

372 Section 2. Sections 36-16-8 and 41-10-303 of the Code
373 of Alabama 1975, are amended to read as follows:

374 "§36-16-8

375 The Property Inventory Control Division shall establish
376 a control in the following manner of all nonconsumable state
377 personal property not exempt under Section 36-16-11.

378 (1) The head of each department or agency of the state
379 shall designate one of its employees as property manager for
380 the department or agency. Except for books, the property
381 manager shall make a full and complete inventory of all
382 nonconsumable personal property and certain other items of
383 personal property deemed important or sensitive enough by the
384 Property Inventory Control Division to be included in the
385 inventory of state property of the value of five hundred
386 dollars (\$500) or more owned by the state and used or acquired
387 by the department or agency. The inventory shall show the
388 complete description, manufacturer's serial number, cost
389 price, date of purchase, location, and custodial agency,
390 responsible officer, or employee, and the state property
391 control marking. A copy of the inventory shall be submitted to
392 the Property Inventory Control Division on October 1 and April



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393 1 of each year. Each inventory shall show all property
394 acquired since the date of the last inventory. When any
395 inventory fails to show any property shown on the previous
396 inventory, then a complete explanation accounting for the
397 property or the disposition thereof shall be attached to the
398 inventory and submitted to the Property Inventory Control
399 Division. All property managers shall keep at all times in
400 their files a copy of all inventories submitted to the
401 Property Inventory Control Division, and the copies shall be
402 subject to examination by any and all state auditors or
403 employees of the Department of Examiners of Public Accounts.

404 (2) Each property manager shall be the custodian of,
405 and responsible for, all property in his or her department or
406 agency. When any property is entrusted to other employees or
407 officers of the department or agency, the property manager
408 shall require a written receipt of the property so entrusted,
409 which receipt shall be executed by the person receiving the
410 property. In that event, the property manager shall be
411 relieved of responsibility of the property, and the employee
412 or officer of the department or agency shall be responsible
413 for the property.

414 (3) No property, except property being transferred to
415 the Department of Archives and History under Section 41-6-10,
416 shall be disposed of, transferred, assigned, or entrusted to
417 any other department, agency, or employee thereof without the
418 written permission of the Director of the Alabama Department
419 of Economic and Community Affairs or the Governor of the State
420 of Alabama or the designee of either of them.



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421 (4) Biannually, the Property Inventory Control Division
422 shall conduct an inventory of all ~~such~~ state personal property
423 excluding historical materials in the custody of the
424 Department of Archives and History and historical materials in
425 the custody of the U.S. Space and Rocket Center Commission,
426 holding every officer or employee strictly accountable for all
427 personal property assigned to his or her custody.

428 (5) No later than November 30 of each new fiscal year,
429 the State Auditor shall report in writing to the Governor all
430 losses and missing items of state property valued at more than
431 five hundred dollars (\$500) as revealed by the most recent
432 inventory of state personal property.

433 (6) Whenever any property manager ceases for any reason
434 to be the property manager of his or her department or agency,
435 the director of the department or agency shall immediately
436 notify in writing the Property Inventory Control Division. The
437 division shall immediately check the inventories of all
438 property in the department or agency, and the successor to the
439 property manager shall execute a written receipt for all
440 property received by him or her or coming into his or her
441 custody or control. The last payment of salary due the
442 property manager shall be withheld until a complete check of
443 the inventory of the property has been made and approved. In
444 the event of any shortages, the property manager shall be held
445 strictly accountable. Notwithstanding the foregoing, the
446 property manager shall not be held accountable for property
447 entrusted to any other employee or officer of the department
448 or agency and for which he or she holds the written receipt of



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449 the employee or officer."

450 "§41-10-303

451 (a) To become a corporation, the three individuals
452 selected pursuant to Section 41-10-302-~~hereof~~ shall present to
453 the Secretary of State of Alabama an application signed by
454 them which shall set forth:

455 (1) The name and residence of each of the applicants,
456 together with a certified copy of all documents evidencing
457 each applicant's selection by the commission and approval by
458 the Governor;

459 (2) The name of the proposed corporation, which shall
460 initially be the "Alabama Space Science Exhibit Finance
461 Authority" and, upon proper application filed by the
462 commission with the Secretary of State, shall be renamed the
463 "U.S. Space and Rocket Center Finance Authority";

464 (3) The location of the principal office of the
465 proposed corporation; and

466 (4) Any other matter relating to the incorporation of
467 the proposed corporation which the applicants may choose to
468 insert and which is not inconsistent with this article.

469 (b) The application shall be subscribed and sworn to by
470 each of the applicants before an officer authorized by the
471 laws of this state to take acknowledgements to deeds. The
472 Secretary of State shall examine the application, and if he or
473 she finds that ~~it~~ the application substantially complies with
474 the requirements of this section, he or she shall receive and
475 file ~~it~~ the application and record it in an appropriate book
476 of records in his or her office."



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477 Section 3. The Code Commissioner, at times determined
478 appropriate, shall change all references to the Alabama Space
479 Science Exhibit Commission in the Code of Alabama 1975 to the
480 U.S. Space and Rocket Center Commission as provided in Section
481 41-9-430, Code of Alabama 1975.

482 Section 4. This act shall become effective on October
483 1, 2025.



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House of Representatives

Read for the first time and referred04-Feb-25
to the House of Representatives
committee on Boards, Agencies and
Commissions
Read for the second time and placed12-Feb-25
on the calendar:
1 amendment
Read for the third time and passed25-Feb-25
as amended
Yeas 101
Nays 0
Abstains 0

John Treadwell
Clerk