

HB159 ENROLLED



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



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1 Enrolled, An Act,

2

3 Relating to the Alabama Space Science Exhibit

4 Commission; to amend Sections 41-9-430, 41-9-431, 41-9-432,

5 41-9-436, and 41-9-439, Code of Alabama 1975; to rename the

6 Alabama Space Science Exhibit Commission as the U.S. Space and

7 Rocket Center Commission; to provide that the Governor serve

8 as an ex officio nonvoting member of the commission; to

9 provide further for terms; to authorize interested public and

10 private partners to provide facilities for U.S. Space and

11 Rocket Center exhibits; to specify that the commission

12 operates outside of the State Treasury; to provide further for

13 the duties of the commission; to amend Sections 36-16-8 and

14 41-10-303, Code of Alabama 1975; to exempt historical

15 artifacts held by the commission from the biannual personal

16 property inventory audit conducted by the Property Inventory

17 Control Division of the State Auditor's office; to authorize

18 the Alabama Space Science Exhibit Finance Authority to rename

19 the authority as the U.S. Space and Rocket Center Finance

20 Authority; and to make nonsubstantive, technical revisions to

21 update the existing code language to current style.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 41-9-430, 41-9-431, 41-9-432,

24 41-9-436, and 41-9-439 of the Code of Alabama 1975, are

25 amended to read as follows:

26 "§41-9-430

27 (a) (1) There is ~~hereby~~ created and established a state

28 agency to be known as the Alabama Space Science Exhibit



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29 Commission, which shall be a public body corporate with all
30 the powers and privileges of a corporation, for the purpose of
31 providing for and participating in the management and control
32 of facilities to house and display such visual exhibits of
33 space exploration and hardware used therefor as may be made
34 available by the National Aeronautics and Space
35 Administration.—~~Such~~ The facility shall constitute a permanent
36 housing for the national aeronautics and space administration
37 exhibit, which shall be open to the general public and shall
38 be located at a place to be designated and made available in
39 Madison County for a nominal cost through the cooperation of
40 the Department of the Army and other public and private
41 partners, where feasible, or at such other locations as the
42 commission may deem appropriate.

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

55 b. A reasonable transition period for the name change
56 shall be allowed to permit an orderly and cost-effective



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57 transition relating particularly to the use of equipment and
58 supplies. All letterhead, business cards, forms, and any other
59 materials in use by the commission containing the name Alabama
60 Space Science Exhibit Commission shall continue to be used by
61 the U.S. Space and Rocket Center Commission until the supplies
62 are exhausted. Replacement supplies shall contain the name of
63 the U.S. Space and Rocket Center Commission.

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

66 a. Provide facilities as will be mutually agreed upon
67 between the commission and the Department of the Army, or
68 other public and private partners, where feasible, for the
69 housing and display of army weaponry and mementos of national
70 defense.

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

80 c. The commission is further empowered to construct
81 Construct or otherwise acquire, whether by purchase,
82 construction, exchange, gift, lease, or otherwise, lodging and
83 other similar facilities, including parking facilities and
84 facilities for meetings, (provided said items are constructed



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85 ~~within one mile of the Alabama Space and Rocket Center),~~ for
86 use by visitors to the permanent exhibit of the commission and
87 users of the commission's visitors' center. In connection
88 therewith, the commission may acquire any land or construct or
89 acquire buildings or other improvements and all real and
90 personal properties deemed necessary by the commission for
91 such purpose, whether or not now in existence. The commission
92 may lease to others any ~~such~~ facilities and may also lease
93 lands of the commission on which ~~such~~ the facilities may be
94 constructed and charge and collect rent therefor, and
95 terminate any ~~such~~ lease upon the failure of the lessee to
96 comply with any of the obligations thereof. The commission may
97 also sell, exchange, or convey and grant options to any lessee
98 to acquire any ~~such~~ facilities and may lease lands of the
99 commission on which ~~such~~ the facilities may be constructed
100 whenever the commission shall find any ~~such~~ action to be in
101 furtherance of the purpose for which the commission was
102 organized."

103 "§41-9-431

104 (a) The commission created by Section 41-9-430 shall
105 consist of 18 members, ~~to be~~ appointed by the Governor, who
106 shall be bona fide residents and qualified voters of this
107 state, at least three of whom shall be residents of Madison
108 County. ~~The remaining members of the commission shall be~~
109 ~~appointed from throughout the state in such manner as to~~
110 ~~provide general statewide representation on the commission,~~
111 ~~but all~~ Governor shall serve as an ex officio nonvoting member
112 of the commission whose absence does not affect a quorum. The



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

136 (b) The first chairman chair of the commission shall be
137 appointed by the Governor from among the original appointees.
138 Thereafter, each succeeding chairman shall be selected by the
139 other members membership of the commission.

140 (c) Members of the commission shall serve without



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141 compensation.

142 (d) Members and employees of the commission shall be
143 reimbursed for actual expenses incurred on behalf of the
144 commission in the development, operation, promotion, and
145 expansion of ~~its~~ commission programs and activities.

146 (e) The commission shall hold at least one annual
147 meeting at the site of the exhibit, and ~~one half~~ one-half of
148 the members shall constitute a quorum for the transaction of
149 any business which may properly come before the commission at
150 any such meeting.

151 (f) The commission ~~shall be authorized to~~ may provide
152 for an executive committee of not fewer than five ~~of its~~
153 commission members to whom ~~it~~ the commission may delegate such
154 powers and authority as the commission may deem to be
155 advisable."

156 "§41-9-432

157 The commission ~~shall be authorized~~ may do all of the
158 following:

159 (1) ~~To investigate~~ Investigate and select an available
160 site for housing the exhibits, including the surrounding
161 grounds, in cooperation with the Department of the Army ~~and,~~
162 the community, and other interested public or private
163 partners, taking into consideration all pertinent factors
164 affecting the suitability of ~~such~~ the site.

165 (2) ~~To acquire~~ Acquire by rent or lease agreement or
166 otherwise the necessary housing facilities and ~~to~~ establish,
167 improve, and enlarge the available facility, including
168 providing ~~it~~ the facility with necessary equipment,



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169 furnishings, landscaping, and related facilities, including
170 parking areas and ramps, roadways, sewers, curbs, and
171 gutters~~+~~.

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

181 (4) ~~To borrow~~ Borrow money from private sources or ~~such~~
182 other sources as may be acceptable to the commission under
183 ~~such~~ terms and conditions as may be provided by law and, in
184 order to provide security for the repayment of any ~~such~~
185 private loans, ~~to~~ pledge ~~such~~ future revenues from admissions
186 and any other sources as may from time to time be necessary or
187 desirable~~+~~.

188 (5) ~~To issue~~ Issue and sell, subject to the approval of
189 the Governor, interest-bearing general obligation bonds not in
190 excess of ~~\$1,900,000.00~~ one million nine hundred thousand
191 dollars (\$1,900,000) in principal amount as authorized by
192 constitutional amendment. ~~Such~~ The bonds shall be general
193 obligations of the State of Alabama with full faith and credit
194 and taxing power of the state to be pledged to the prompt and
195 faithful payment of the principal of the bonds and the
196 interest thereon. The proceeds from the sale of ~~such~~ the bonds



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197 shall be used exclusively for the purpose of paying the
198 expenses incurred in the sale and issuance thereof and for the
199 construction, establishment, improvement, or enlargement and
200 equipment of building facilities and related grounds,
201 including the renewal or replacement of structural parts of
202 ~~such the~~ facility, but not including the purchase of the site
203 for ~~such the~~ facility.

204 (6) ~~To issue~~ Issue and sell at any time and from time
205 to time its revenue bonds for the purpose of providing funds
206 to acquire, enlarge, improve, equip, and maintain a facility
207 and for the payment of obligations incurred for ~~such those~~
208 purposes. The principal and interest on any ~~such~~ revenue bonds
209 shall be payable solely out of the revenues derived from the
210 project.

211 (7) ~~To borrow~~ Borrow money and in evidence of ~~such the~~
212 borrowing ~~to~~ issue and sell at any time and from time to time
213 its revenue bonds (in addition to those authorized under
214 subdivisions (5) and (6) ~~hereof~~) for the purpose of carrying
215 out the commission's power to construct or acquire lodging
216 facilities, as set out in Section 41-9-430, the principal of
217 and interest on which shall be payable solely out of the
218 revenues and receipts derived by the commission from the
219 operation, leasing, or sale of the lodging facilities. The
220 resolution under which ~~such the~~ revenue bonds are authorized
221 to be issued and any mortgage and deed of trust or trust
222 indenture securing same may contain any agreements and
223 provisions respecting the operation, maintenance, and
224 insurance of the property covered by ~~said~~ the mortgage and



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

248 (8) ~~To make such~~ Make contracts in the issuance of its
249 bonds as may seem necessary or desirable to assure their
250 marketability and ~~to~~ provide for their retirement by a pledge
251 of all or any revenue which may come to the commission from
252 the investment of the proceeds of the sale of ~~such~~ the bonds



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253 or from any other source whatsoever~~†~~.

254 (9) ~~To accept~~ Accept public or private gifts, grants,
255 and donations~~†~~.

256 (10) ~~To acquire~~ Acquire property by purchase, lease,
257 gift, or license, ~~such power not to include the purchase of a~~
258 ~~site for the facility;†~~.

259 (11) ~~To allocate~~ Allocate and expend funds from all
260 donations, income, and revenue from any source whatsoever
261 coming into its treasury for the fulfillment and
262 accomplishment of its duties and responsibilities in such
263 manner as may be necessary and appropriate for the perfection
264 of the purposes of this article~~†~~. The treasury of the
265 commission is not within the State Treasury.

266 (12) ~~To sell~~ Sell, convey, transfer, mortgage, lease,
267 or donate any property, franchise, grant, easement, license,
268 or lease or interest therein which ~~it~~ the commission may own
269 and to transfer, assign, sell, mortgage, convey, or donate any
270 right, title, or interest which it may have in any lease,
271 contract, agreement, license, or property~~†~~.

272 (13) ~~To employ~~ Employ a chief executive officer or an
273 executive director and ~~such~~ additional personnel as may be
274 necessary to accomplish the purposes of this article. The
275 chief executive officer or executive director ~~and such~~
276 ~~additional personnel as may be employed by the commission will~~
277 shall serve at the pleasure of the commission. The commission
278 shall fix the compensation of the chief executive officer or
279 executive director, ~~and such additional personnel and such~~
280 ~~compensation~~ which shall be paid from the funds of the



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

298 (14) ~~To make such~~ Adopt rules and regulations as the
299 commission may deem necessary and desirable to provide for the
300 operation, management, and control of the facility in
301 cooperation with the Department of the Army ~~and,~~ with the
302 National Aeronautics and Space Administration, and with other
303 public or private partners, where feasible.

304 (15) ~~To expend~~ Expend funds of the commission in the
305 development, operation, promotion, and expansion of the
306 programs and activities of the commission including the
307 franchising, nationally and internationally, of the United
308 States Space Camp, a youth science program developed and owned



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309 by the commission~~+~~, and create, maintain, and operate
310 additional education programs in rocketry, space exploration,
311 astronomy, aviation, aeronautics, robotics, computer
312 programming, cybersecurity, and any other topic the commission
313 deems appropriate to fulfilling the educational mission and
314 mandate of the U.S. Space and Rocket Center.

315 (16) ~~To perform such~~ Perform other acts necessary or
316 incidental to the accomplishment of the purposes of this
317 article, whether or not specifically authorized in this
318 section~~+~~ and not otherwise prohibited by law."

319 "§41-9-436

320 In view of the unique character and complexity of the
321 duties and responsibilities imposed on the commission by this
322 article, it is hereby specifically provided that ~~the~~
323 ~~commission shall have,~~ in addition to the power and authority
324 enumerated in Section 41-9-432, ~~the right, power and authority~~
325 to commission may:

326 (1) Develop and institute a program of promotion and
327 advertising of the exhibits and facilities provided for by
328 this article~~+~~, said. The program of promotion and advertising
329 to shall be conducted by the commission both within and
330 without the state in such manner and to such extent as may be
331 deemed economically advisable and appropriate by the
332 commission;

333 (2) ~~Purchase and acquire items of tangible personal~~
334 ~~property on a competitive bid basis in the manner prescribed~~
335 ~~by law for the purchase of such items by state trade schools,~~
336 ~~state junior colleges and state colleges and universities~~



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337 ~~under the supervision and control of the State Board of~~
338 ~~Education, the city and county boards of education, the~~
339 ~~district boards of education of independent school districts,~~
340 ~~the county commissions and the governing bodies of the~~
341 ~~municipalities of the state and the governing boards of~~
342 ~~instrumentalities of counties and municipalities under~~
343 ~~Sections 41-16-50, 41-16-51 and 41-16-53 through 41-16-63_~~
344 Procure supplies and services in the same manner as an
345 educational or eleemosynary institution governed by a board of
346 trustees or other similar governing body pursuant to Section
347 41-4-124(b) (1); and

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

355 "§41-9-439

356 The provisions of this article shall be construed
357 liberally, it being the purpose to provide in this state
358 appropriate housing facilities for displaying to the general
359 public exhibits of the Department of the Army and of the
360 National Aeronautics and Space Administration, in cooperation
361 with public and private partners, if feasible, and for
362 providing for the management and control of that portion of
363 the display furnished and supplied by the National Aeronautics
364 and Space Administration by such means as may be feasible and



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365 agreed upon."

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

368 "§36-16-8

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

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



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393 Division. All property managers shall keep at all times in
394 their files a copy of all inventories submitted to the
395 Property Inventory Control Division, and the copies shall be
396 subject to examination by any and all state auditors or
397 employees of the Department of Examiners of Public Accounts.

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

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

415 (4) Biannually, the Property Inventory Control Division
416 shall conduct an inventory of all ~~such~~ state personal property
417 excluding historical materials in the custody of the
418 Department of Archives and History and historical materials in
419 the custody of the U.S. Space and Rocket Center Commission,
420 holding every officer or employee strictly accountable for all



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421 personal property assigned to his or her custody.

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

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

444 "§41-10-303

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



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449 (1) The name and residence of each of the applicants,
450 together with a certified copy of all documents evidencing
451 each applicant's selection by the commission and approval by
452 the Governor;

453 (2) The name of the proposed corporation, which shall
454 initially be the "Alabama Space Science Exhibit Finance
455 Authority" and, upon proper application filed by the
456 commission with the Secretary of State, shall be renamed the
457 "U.S. Space and Rocket Center Finance Authority";

458 (3) The location of the principal office of the
459 proposed corporation; and

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

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

471 Section 3. The Code Commissioner, at times determined
472 appropriate, shall change all references to the Alabama Space
473 Science Exhibit Commission in the Code of Alabama 1975 to the
474 U.S. Space and Rocket Center Commission as provided in Section
475 41-9-430, Code of Alabama 1975.

476 Section 4. This act shall become effective on October

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477 1, 2025.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 25-Feb-25.

John Treadwell
Clerk

Senate

18-Mar-25

Passed