

1 HB360  
2 172818-5  
3 By Representatives Davis, Faust, Sessions, Gaston,  
4 Williams (JW), Buskey, Bracy, Shiver, Baker, Drummond,  
5 Clarke and McMillan (Constitutional Amendment)  
6 RFD: Ways and Means General Fund  
7 First Read: 01-MAR-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 ( )."