

1 SB45
2 170756-2
3 By Senator Hightower
4 RFD: Finance and Taxation General Fund
5 First Read: 03-AUG-15

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8 SYNOPSIS: Act 2015-436 of the 2015 Regular Session
9 establishes as a line item in the General Fund
10 Budget funds for the dredging of navigable waters
11 of this state and sediment reuses.

12 This bill would repeal Act 2015-436 and
13 would establish as a line item in the General Fund
14 Budget funds for the dredging of certain navigable
15 waters of this state.

16 This bill would create the Navigable Waters
17 Dredging Fund.

18 This bill would provide for the purpose of
19 the Navigable Waters Dredging Fund.

20 This bill would provide that the Navigable
21 Waters Dredging Fund be administered by the Alabama
22 Department of Environmental Management.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To establish as a line item in the General Fund
2 Budget the Navigable Waters Dredging Fund for the dredging of
3 certain navigable waters of this state; to create the
4 Navigable Waters Dredging Fund; to provide that the fund shall
5 be administered by the Alabama Department of Environmental
6 Management; and to repeal Act 2015-436 of the 2015 Regular
7 Session.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Notwithstanding any provision of law, the
10 budget proposed each year for the Alabama Department of
11 Conservation and Natural Resources shall include as a line
12 item in the General Fund Budget the Navigable Waters Dredging
13 Fund. The director of the department shall present the
14 proposed budget at the appropriate budget hearing scheduled by
15 the Alabama Legislature. The principal of the fund shall
16 consist of the following:

17 (1) Funds appropriated by any governmental entity
18 for the fund.

19 (2) Funds received as gifts from any source for the
20 fund.

21 Section 2. (a) The Alabama Department of
22 Conservation and Natural Resources shall administer the
23 Navigable Waters Dredging Fund and only use the fund as the
24 state's share of the costs associated with any dredging
25 project approved by the director of the department. An
26 approved dredging project shall be managed by the applicant or

1 applicants and must be cost-shared with non-state dollars on a
2 one-to-one basis.

3 (b) All funds collected or received by the
4 department for the fund shall be deposited into the fund and
5 payments from the fund must be used only to carry out the
6 provisions of this act. The department shall seek to enter
7 into an agreement with the United States Army Corps of
8 Engineers for the purpose of facilitating approved dredging
9 projects. The department is authorized to use the fund for
10 administrative costs accrued by the department, not to exceed
11 5% of fund deposits. The department may develop regulations to
12 implement this act.

13 Section 3. For the purposes of this act, dredging
14 project shall mean the proposed dredging of any state waterway
15 to ensure the proper use of a public boat ramp or of any state
16 waterway that has a federally authorized maximum depth between
17 6 and 18 feet.

18 Section 4. Act 2015-436 is repealed in its entirety.

19 Section 5. This act shall become effective on the
20 first day of the third month following its passage and
21 approval by the Governor, or its otherwise becoming law.