

1 SB327
2 218862-1
3 By Senator Sanders-Fortier
4 RFD: Finance and Taxation Education
5 First Read: 17-MAR-22

SYNOPSIS: This bill would create the Healing History Act and would establish the Freedom Fund in the State Treasury, to be administered by the Alabama State Council on the Arts, to provide for the commissioning and protection of new monuments and the preservation and maintenance of objects and sites that are significant in Alabama history.

 This bill would authorize legislative members representing Dallas County to add to the name of the Edmund W. Pettus Bridge.

 This bill would also allocate a portion of the state ad valorem tax to the Freedom Fund, to be used by the Alabama State Council on the Arts for the preservation, improvement, and protection of buildings, objects, and sites that are significant to Alabama history.

A BILL
TO BE ENTITLED
AN ACT

1
2 To create the Healing History Act; to provide
3 legislative findings; to establish the Freedom Fund in the
4 State Treasury, administered by the Alabama State Council on
5 the Arts, to provide for the commissioning and protection of
6 new monuments and the preservation and maintenance of objects
7 and sites that are significant in Alabama history; to
8 authorize legislative members representing Dallas County to
9 add to the name of the Edmund W. Pettus Bridge; and to amend
10 Section 40-8-3, Code of Alabama 1975, to allocate a portion of
11 the state ad valorem tax to the Freedom Fund.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 (b) The Legislature finds and declares all of the
16 following:

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

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

24 (3) This inclusive healing history campaign, which
25 represents another step towards fulfilling Dr. King's dream of
26 the Beloved Community where women, men, boys, and girls stand
27 and sit together at the "table of brotherhood," should begin

1 at the foot of the Edmund W. Pettus Bridge in historic Selma,
2 Alabama.

3 (c) (1) The Freedom Fund is created in the State
4 Treasury. Any monetary interest that accrues to the fund and
5 any monies in the fund at the end of the fiscal year shall
6 remain in the fund and shall not revert to the State General
7 Fund. No funds shall be withdrawn or expended except as
8 budgeted and allocated in accordance with Sections 41-4-80
9 through 41-4-96, inclusive, and Sections 41-19-1 through
10 41-19-12, inclusive, Code of Alabama 1975, and only in the
11 amounts authorized by the Legislature in the general
12 appropriation bill or other appropriation bills.

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

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

19 a. Accepting and reviewing applications for new
20 monuments.

21 b. Commissioning historical monuments.

22 c. Preserving, to the extent determined necessary by
23 the council, the following:

24 1. Buildings in which events of great significance
25 to this state or United States history have taken place and
26 the sites surrounding those buildings.

1 2. Birthplaces or residences of outstanding
2 individuals and the sites surrounding them.

3 3. Sites where historic or significant events in
4 history have taken place.

5 d. Commissioning the design and construction of new
6 monuments that may be placed next to monuments and memorials
7 representing divergent perspectives, to provide an inclusive
8 perspective of history while uniting themes under a healing
9 history campaign developed by the Alabama Council on
10 Humanities.

11 (d)(1) There is created a Freedom Fund Applicant
12 Review Commission within the Alabama State Council on the
13 Arts. The commission shall review requests submitted to the
14 Alabama State Council on the Arts for the funding of new or
15 existing projects from the Freedom Fund, and shall approve,
16 approve in part, or deny those requests. The membership of the
17 commission, which shall be reconstituted every three years by
18 July 1, shall consist of three members appointed by the
19 Executive Director of the Alabama State Council on the Arts
20 and one member appointed by the Governor. Members may include
21 legislators serving in leadership positions with the
22 Legislature and vacancies in the commission shall be filled by
23 the original appointing authority for the remainder of the
24 unexpired term.

25 (2) The Executive Director of the Alabama State
26 Council on the Arts may establish one or more temporary or
27 permanent advisory committees, as necessary to provide for the

1 implementation of this section. An advisory committee created
2 pursuant to this subdivision shall serve at the pleasure of
3 the executive director.

4 (3) The appointing authorities shall coordinate
5 their appointments to ensure that the membership of the
6 applicant review commission and each advisory committee
7 created is inclusive and reflects the racial, gender,
8 geographic, urban, rural, and economic diversity of the state.

9 (e) The Alabama State Council on the Arts may accept
10 public or private gifts, grants, and donations, including
11 in-kind services, for use in fulfilling any duties imposed by
12 this act, and may also use funds appropriated to the Alabama
13 State Council on the Arts by the Legislature, if necessary. In
14 the event funds are appropriated to the Alabama State Council
15 on the Arts by the Legislature, the executive director shall
16 submit quarterly reports regarding the status of the project,
17 and requests for additional funding, to the appropriate budget
18 chairs.

19 (f) The Department of Transportation shall place an
20 appropriate marker at the foot of the Edmund W. Pettus Bridge
21 in Selma, acknowledging the bridge as the Bridge of Hope and
22 the foundation of the Healing History campaign, where all of
23 Alabama's history is embraced and acknowledged for the purpose
24 of healing history.

25 Section 2. (a) For purposes of this section, the
26 term local legislative delegation shall include all members of
27 the Legislature representing any portion of Dallas County.

1 (b)(1)a. Notwithstanding the Alabama Memorial
2 Preservation Act of 2017, Article 9A, commencing with Section
3 41-9-230, of Chapter 9 of Title 41, Code of Alabama 1975, or
4 any other law or rule to the contrary, the name of the Edmund
5 W. Pettus Bridge in Selma may be amended to the Edmund W.
6 Pettus-Foot Soldiers Bridge by the adoption of a unanimous
7 resolution by the local legislative delegation at a public
8 meeting called by the Senate member of the local legislative
9 delegation or, if there are multiple Senate members in the
10 local legislative delegation, the longest-serving Senate
11 member.

12 b. Notice of any meeting to discuss or consider the
13 change shall be given at least 10 days before the meeting.

14 c. The local legislative delegation may hold any
15 number of public meetings to discuss a change in the name of
16 the bridge. A resolution to change the name of the bridge may
17 only be adopted at a meeting specifically noticed and called
18 for that purpose.

19 d. Nothing in this section shall be interpreted as
20 authorizing any signage, on or relating to the name "Edmund W.
21 Pettus Bridge," existing on the effective date of this act, to
22 be modified or disturbed in any manner. The name "Foot
23 Soldiers" shall have separate signage, that may be provided
24 through a light display, subject to approval by the Department
25 of Transportation, that includes the silhouette of a Foot
26 Soldier.

1 (2) Upon adoption of the resolution, the local
2 legislative delegation shall send written notice to the
3 Alabama Historical Commission and the Department of
4 Transportation including, but not limited to, both of the
5 following:

6 a. A copy of the resolution signed by each member of
7 the local legislative delegation designating the new name of
8 the bridge as the Edmund W. Pettus-Foot Soldiers Bridge.

9 b. A citation to this section.

10 (3) Upon receipt of notice, the Alabama Historical
11 Commission shall send notice of the change to the National
12 Park Service and take any other action necessary to ensure
13 that the name change is reflected in the National Register of
14 Historic Places and any Alabama registry of historic places.

15 (c) Notwithstanding the Alabama Memorial
16 Preservation Act of 2017, Article 9A, commencing with Section
17 41-9-230, of Chapter 9 of Title 41, Code of Alabama 1975, or
18 any other law or rule to the contrary, the legislative
19 delegation, by unanimous consent, may approve the installation
20 of permanent decorative lighting on the Edmund W. Pettus
21 Bridge to increase tourism in the area.

22 Section 3. Section 40-8-3 of the Code of Alabama
23 1975, is amended to read as follows:

24 "§40-8-3.

25 "There is hereby levied for the purpose and upon the
26 property hereinafter named and not specifically exempted from
27 taxation annual taxes, as follows:

1 "(1) For the maintenance of the public schools of
2 this state, ~~\$.30~~ thirty cents (\$.30) on each ~~\$100~~ one hundred
3 dollars (\$100) of the assessed value of taxable property.

4 "(2) For the relief of needy Confederate soldiers
5 and sailors, resident citizens of ~~Alabama~~ this state and their
6 widows, ~~\$.10~~ ten cents (\$.10) on each ~~\$100~~ one hundred dollars
7 (\$100) of the assessed value of taxable property of which one
8 percent of the gross amount collected ~~will~~ shall be expended
9 by the Alabama Historical Commission to provide for capital
10 improvements and maintenance at the Confederate Memorial Park
11 at Mountain Creek, Chilton County, Alabama; and one percent of
12 the gross amount collected shall be deposited into the Freedom
13 Fund to be expended by the Alabama State Council on the Arts
14 to provide for the commissioning and protection of new
15 monuments and the preservation, improvement, maintenance, and
16 protection of buildings, objects, and sites that have
17 significance to Alabama history, and as otherwise provided by
18 law, pursuant to the Healing History Act.

19 "(3) For the use of the state and to raise revenue
20 therefor, ~~\$.25~~ twenty-five cents (\$.25) on each ~~\$100~~ one
21 hundred dollars (\$100) of the assessed value of taxable
22 property."

23 Section 4. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.