

1 SB2
2 110394-3
3 By Senators French, Waggoner, and Marsh (Constitutional
4 Amendment)
5 RFD: Finance and Taxation General Fund
6 First Read: 12-JAN-10
7 PFD: 05/16/2009

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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to provide for a
10 eight year road and bridge construction program to
11 be funded with appropriations from the Alabama
12 Trust Fund and to provide for funds for Redstone
13 Arsenal and the Coastal Insurance Program Fund
14 which is created in this amendment.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 To propose an amendment to the Constitution of
21 Alabama of 1901, to provide for a eight year road and bridge
22 construction program to be funded with appropriations from the
23 Alabama Trust Fund and to provide for funds for Redstone
24 Arsenal and the Coastal Insurance Program Fund.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The following amendment to the
27 Constitution of Alabama of 1901, as amended, is proposed and

1 shall become valid as a part thereof when approved by a
2 majority of the qualified electors voting thereon and in
3 accordance with Sections 284, 285, and 287 of the Constitution
4 of Alabama of 1901, as amended:

5 PROPOSED AMENDMENT

6 (a) Beginning in the fiscal year ending September
7 30, 2011 and continuing through the fiscal year ending
8 September 30, 2018, the Legislature may appropriate from the
9 Alabama Trust Fund an amount up to one hundred twenty-five
10 million dollars (\$125,000,000) in each fiscal year. The
11 appropriation may be made in either the general appropriations
12 act or a separate appropriations act, and the funds shall be
13 distributed as provided in subdivisions 1 and 2 below.
14 However, no part of any appropriation may be allotted if such
15 allotment would cause the balance in the Alabama Trust Fund to
16 fall below two billion dollars.

17 (1) Seventy-five percent (75%) of the appropriation
18 from the Alabama Trust Fund shall be distributed to the
19 Department of Transportation for state highways, roads, and
20 bridges and other transportation purposes to be expended
21 equally in each Senate district in this state as these
22 districts exist on the effective date of this amendment.

23 (2) The remaining twenty-five (25%) shall be
24 distributed to the counties and municipalities to be used for
25 new construction and maintenance and repair. This amount shall
26 be allocated as follows:

1 a. Forty-five percent (45%) shall be allocated
2 equally among the sixty-seven counties of the state.

3 b. Fifty-five percent (55%) shall be allocated among
4 the sixty-seven counties of the state on the basis of the
5 ratio of the population of each county to the total population
6 of the state according to the then next preceding federal
7 decennial census.

8 c. Ten percent (10%) of the total amount allocated
9 to each county in accordance with subdivisions (2)a. and (2)b.
10 of division (a) of this amendment shall be distributed among
11 the municipalities within the county on the basis of the ratio
12 of the population of each municipality to the total population
13 of all municipalities in the county according to the then next
14 preceding federal decennial census.

15 (b) In addition to the appropriations made in
16 subsection (a), for the fiscal year ending September 30, 2011
17 the following amounts shall be appropriated for the following
18 purposes:

19 1. Fifteen million dollars (\$15,000,000) is hereby
20 appropriated from the Alabama Trust Fund to the Department of
21 Transportation to be used for the construction of roads
22 directly accessing, immediately adjacent to, or on Redstone
23 Arsenal.

24 2. Forty million dollars (\$40,000,000) shall be
25 appropriated and transferred from the Alabama Trust Fund to
26 the Coastal Insurance Program Fund which shall be established
27 in the State Treasury upon the ratification of this amendment.

1 Funds in the Coastal Insurance Program Fund may be expended
2 upon order of the Commissioner of Insurance to implement a
3 program to improve coastal insurance availability and
4 affordability. The Commissioner of Insurance shall issue rules
5 and regulations establishing the program which shall be
6 subject to the Administrative Procedures Act. No funds shall
7 be expended prior to the adoption of these rules and
8 regulations.

9 Section 2. An election upon the proposed amendment
10 shall be held in accordance with Sections 284 and 285 of the
11 Constitution of Alabama of 1901, now appearing as Sections 284
12 and 285 of the Official Recompilation of the Constitution of
13 Alabama of 1901, as amended, and the election laws of this
14 state.

15 Section 3. The appropriate election official shall
16 assign a ballot number for the proposed constitutional
17 amendment on the election ballot and shall set forth the
18 following description of the substance or subject matter of
19 the proposed constitutional amendment:

20 "Proposing an amendment to the Constitution of
21 Alabama of 1901, as amended, relating to the Alabama Trust
22 Fund, to provide for the transfer of funds in the Alabama
23 Trust Fund to be distributed for state and local
24 transportation purposes, for Redstone Arsenal road
25 construction and the Coastal Insurance Program Fund created in
26 this amendment.

27 "Proposed by Act _____."

1 This description shall be followed by the following
2 language:
3 "Yes () No ()."