

1 213102-2 : n : 04/13/2021 : JET / tgw LSA2021-22017

2  
3 BARFOOT AMENDMENT NO. 2 TO SB309

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7  
8 On page 1, line 9, delete "SB214 of the 2020" and  
9 insert in lieu thereof the following:

10 SB319 of the 2021

11  
12 On page 3, line 11, delete "SB214" and insert in  
13 lieu thereof the following:

14 SB319

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16 On page 4, line 15, delete "this amendment" and  
17 insert in lieu thereof the following:

18 the constitutional amendment proposed in SB319 of  
19 the 2021 Regular Session

20  
21 On page 4, line 22, after "into" insert the  
22 following:

23 , or proposes to enter into,

24  
25 On page 4, line 27, and continuing through page 5,  
26 line 1, delete "one hundred thousand dollars (\$100,000)" and  
27 insert in lieu thereof the following:

1                    fifty thousand dollars (\$50,000)

2

3                    On page 6, lines 14 through 16, delete subdivision  
4                    (2) in its entirety, and insert in lieu thereof the following  
5                    new subdivision (2):

6                    (2) All members shall be subject to confirmation of  
7                    the Senate and may not participate in any function or  
8                    deliberation of the commission until they are confirmed by the  
9                    Senate.

10

11                    On page 6, line 23, after "convictions" insert the  
12                    following:

13                    or convictions for property offenses, fraud, or  
14                    unlawful gambling, or offenses involving moral turpitude

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16                    On page 7, lines 3 through 9, delete subsection (c)  
17                    in its entirety and insert in lieu thereof the following new  
18                    subsection (c):

19                    (c) (1) Members shall serve terms of five years,  
20                    except that of the initial members appointed, they shall serve  
21                    as follows:

22                    a. One member appointed by the Governor and the  
23                    member appointed by the Lieutenant Governor shall serve an  
24                    initial term of five years.

25                    b. One member appointed by the Governor and the  
26                    member appointed by the President Pro Tempore of the Senate  
27                    shall serve an initial term of four years.

1           c. One member appointed by the Governor, the member  
2 appointed by the Speaker of the House of Representatives, and  
3 the member appointed by the Attorney General shall serve an  
4 initial term of three years.

5           (2) Members may not serve more than two terms.

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7           On page 7, line 16, delete "chief executive officer"  
8 and insert in lieu thereof the following:

9           "executive director"

10  
11           On page 7, line 19, after "qualified" insert the  
12 following:

13           , subject to the two-term limitation provided in  
14 subdivision (c) (2)

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16           On page 7, line 23, delete "A majority of members in  
17 office" and insert in lieu thereof the following:

18           Four members

19  
20           On page 8, after line 5, insert the following new  
21 subsections (i) and (j):

22           (i) (1) Members of the board shall meet at least  
23 quarterly and at other times called by the chair or a majority  
24 of the members.

25           (2) Members of the board may participate in a  
26 meeting of the board by means of video conference or similar  
27 communications equipment by means of which all persons

1 participating in the meeting may hear and see each other at  
2 the same time. Participation by such means shall constitute  
3 presence in person at a meeting for all purposes. The  
4 commission may allow members of the public to participate in  
5 meetings by video conference or similar communications  
6 equipment.

7 (j) If any member is absent from two meetings of the  
8 four quarterly meetings during any calendar year, the member  
9 shall be deemed to have forfeited his or her position on the  
10 board, and a replacement shall be appointed by the respective  
11 appointing authority as provided in this act.

12  
13 On page 8, delete lines 7 through 9, and insert in  
14 lieu thereof the following:

15 (a) A Lottery Retailer Advisory Board is created, to  
16 be composed of six members and appointed as follows: the chair  
17 of the board of directors shall appoint one member; the vice  
18 chair shall appoint one member; and the remaining members of  
19 the board shall each appoint one member. One member each, four  
20 members total, shall be appointed by the minority and majority  
21 caucuses of the House and Senate. Each member of the board of  
22 directors shall ensure that

23  
24 On page 8, lines 16 through 19, delete subsection  
25 (b) in its entirety and insert in lieu thereof the following  
26 new subsection (b):

1 (b) Members appointed to the Lottery Retailer  
2 Advisory Board shall serve two-year terms, except that the  
3 following five members shall serve an initial one-year term:

4 (1) One member appointed by the chair under  
5 subsection (a).

6 (2) One member appointed by the vice chair under  
7 subsection (a).

8 (3) Three of the members appointed by the remaining  
9 members of the board of directors under subsection (a),  
10 excluding the remaining members appointed by the chair or vice  
11 chair not referenced in subdivisions (1) and (2).

12  
13 On page 12, line 20, delete "a sales facility" and  
14 insert in lieu thereof the following:

15 one or more facilities as authorized by the  
16 commission

17  
18 On page 14, line 2, delete "provided by the board"  
19 and insert in lieu thereof the following:

20 , pursuant to rules of the commission,

21  
22 On page 16, line 8, after "employee" insert the  
23 following:

24 or director

25  
26 On page 17, line 9, after "benefits" insert the  
27 following:

1 to be paid by the corporation

2

3 On page 17, line 10, after "Employees" insert the  
4 following:

5 and directors

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7 On page 17, line 18, after "gambling" insert the  
8 following:

9 , which shall not be less than one-half of one  
10 percent of the lottery proceeds.

11

12 On page 18, line 12, delete "sections" and insert in  
13 lieu thereof the following:

14 section

15

16 On page 18, line 13, delete "and 31"

17

18 On page 19, line 10, after "may" insert the  
19 following:

20 not

21

22 On page 19, lines 15 and 17, after "board member,"  
23 insert the following in both instances:

24 any advisory board member,

25

26 On page 19, line 20, delete "(1)"

27

1                   On page 20, lines 4 through 8, delete subdivision  
2 (2) in its entirety

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4  
5                   On page 21, line 1, delete "every" and insert in  
6 lieu thereof the following:

7                   commercially reasonable

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9                   On page 22, line 17, after "assignable" insert the  
10 following:

11                   , except as approved by the board

12  
13                   On page 23, line 26, delete "board" and insert in  
14 lieu thereof the following:

15                   commission

16  
17                   On page 26, lines 10 and 11, delete "the provision  
18 of one-year's support for the person's family" and insert in  
19 lieu thereof the following:

20                   as provided otherwise in Chapter 8 of Title 43, Code  
21 of Alabama 1975

22  
23                   On page 27, line 5, delete "or give"

24  
25                   On page 28, line 4, after "board" insert the  
26 following:

27                   , subject to de novo review,

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On page 31, line 11, after "directors;" insert the following:

any member of the advisory board;

On page 32, lines 1 and 2, delete "fifteen million dollars (\$15,000,000)" and insert in lieu thereof the following:

twenty million dollars (\$20,000,000)

On page 32, line 2, after "money" insert the following:

annually

On page 32, line 11, delete "sections" and insert in lieu thereof the following:

section

On page 32, line 11, delete "and 31"

On page 32, line 22, after "disclosure" insert the following:

, including bid information, which may be disclosed five years after an award of a contract subject to the bid

On page 33, line 18, after "expenses," insert the following:



1 consumer complaints received by the corporation,

2

3 On page 35, lines 5, 9, and 19, delete "D" and  
4 insert in lieu thereof the following:

5 C

6

7 On page 35, line 23, after "Fund" insert the  
8 following:

9 , of which 70 percent shall be used for K-12  
10 education, including 10 percent for failing schools, and 30  
11 percent shall be used for higher education

12

13 On page 35, delete lines 24 through 27 and insert in  
14 lieu thereof the following:

15 (b) (1) Fifty percent of the proceeds in the Lottery  
16 Trust Fund shall be used to establish a postsecondary  
17 scholarship program to include a loan forgiveness component  
18 for scholarship participants who pursue a degree in in-demand  
19 fields and who work in this state for a specified time frame.  
20 For every six months of employment in an in-demand field, as  
21 determined by the Alabama Commission on Higher Education, in  
22 this state following graduation, tuition for each semester  
23 spent in pursuit of the degree shall be forgiven.

24

25 On page 36, line 16, delete "214" and insert in lieu  
26 thereof the following:

27 319

