

1 SB267
2 149102-1
3 By Senators Holtzclaw, Orr and Marsh
4 RFD: Veterans and Military Affairs
5 First Read: 28-FEB-13

2
3
4
5
6
7
8 SYNOPSIS: This bill would create a fund for the
9 retention and expansion of Alabama's military
10 installations and expend funds upon the submission
11 and acceptance of a plan for public projects
12 necessary to protect the interests of an area with
13 respect to realignment or closure of a military
14 installation and local matching funds.

15 This bill would require the Alabama Job
16 Creation and Military Stability Commission to make
17 any award of funds under this act and submit an
18 annual report to the Legislature.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 Relating to military installations; to create a fund
25 for the retention and expansion of Alabama's military
26 installations; to expend funds upon the submission and
27 acceptance of a plan for necessary public projects; to require

1 local matching funds; and to require the Alabama Job Creation
2 and Military Stability Commission to make any award of funds
3 under this act and submit an annual report to the Legislature.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. The Legislature finds that the state's
6 military installations are vital to the economic health of the
7 state. It is therefore in the state's interest that these
8 installations not only be retained but, if possible, expanded.

9 Section 2. When used in this act and except where
10 the context prohibits, the following words and terms shall
11 have the following meanings:

12 (1) COMMISSION. The Alabama Job Creation and
13 Military Stability Commission, established by Act 2011-350,
14 2011 Regular Session (Acts 2011, p. 636), as amended from time
15 to time.

16 (2) FOUNDATION. The Military Stability Foundation,
17 an Alabama nonprofit corporation incorporated on September 8,
18 2011.

19 (3) FUND. The Military Stability Fund established by
20 this act.

21 (4) MILITARY INSTALLATION. A federal or state
22 military fort, base, camp, post, station, yard, depot,
23 arsenal, armory, or other installation, if located within the
24 State of Alabama.

25 (5) RECIPIENT. A person, entity, association, or
26 governmental entity which receives monies from the fund.

1 Section 3. There is hereby established within the
2 State Treasury the Military Stability Fund. All state
3 appropriations and any other funds collected pursuant to this
4 act are hereby appropriated for the purposes provided in this
5 act and shall be deposited into the fund. Any funds remaining
6 in the Military Stability Fund at the end of a fiscal year
7 shall remain in the fund and are reappropriated until expended
8 in accordance with the provisions of this act.

9 Section 4. (a) The commission shall distribute
10 monies from the fund to recipients which submit acceptable
11 plans for the retention or expansion of military
12 installations, as further provided in this section.

13 (b) In order for a recipient to be eligible to
14 obtain monies from the fund, a recipient shall submit to the
15 commission, on forms provided by the commission, all of the
16 following:

17 (1) Materials tending to show that a local area
18 would be affected by realignment or closure of a military
19 installation.

20 (2) A plan to expend monies from local sources for
21 public projects necessary to protect the interests of the area
22 with respect to realignment or closure of such military
23 installation.

24 (3) A certificate from at least one local
25 governmental entity stating that the entity believes the
26 submission by a potential recipient to be true and accurate if
27 the recipient is not itself a local governmental entity.

1 (c) The commission shall consider the documentation
2 provided pursuant to subsection (b) and award funds as it
3 deems appropriate.

4 (d) The commission shall monitor expenditures made
5 pursuant to this section to ensure compliance with the
6 provisions of this act. Misuse of funds by a recipient shall
7 be a factor in determining any future award to the recipient
8 or any local governmental entity which issued a certificate in
9 support of the recipient as provided in subdivision (3) of
10 subsection (b).

11 (e) The commission may delegate any powers granted
12 to it under this section to the foundation.

13 Section 5. (a) Any year in which an appropriation is
14 made to the fund, fund monies are disbursed, or fund monies
15 are expended by a recipient, the commission shall provide an
16 annual report to the Legislature no later than the 15th
17 legislative day of the regular session following the
18 conclusion of the year in which an appropriation was made to
19 the fund, fund monies were disbursed, or fund monies were
20 expended by a recipient.

21 (b) No documents created, filed, or maintained
22 pursuant to this act shall be available for public inspection.

23 Section 6. The commission shall promulgate rules as
24 it deems necessary to implement this act.

25 Section 7. The provisions of this act are severable.
26 If any part of this act is declared invalid or

1 unconstitutional, that declaration shall not affect the part
2 which remains.

3 Section 8. All laws or parts of laws which conflict
4 with this act are repealed.

5 Section 9. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.