

1 SB241  
2 182658-1  
3 By Senators Orr and Holtzclaw  
4 RFD: Transportation and Energy  
5 First Read: 23-FEB-17

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, industrial access funds  
9 are intended to provide adequate public access to  
10 new or expanding distribution, manufacturing, and  
11 industrial firms.

12 This bill would expand the use of industrial  
13 access funds to include costs associated with  
14 access to active military installations or property  
15 used primarily for military purposes or  
16 nonindustrial development sites, such as contact or  
17 call centers, that provide a specified number of  
18 full-time jobs.

19  
20 A BILL  
21 TO BE ENTITLED  
22 AN ACT

23  
24 Relating to industrial access; to amend Section  
25 23-6-1, Code of Alabama 1975, to expand the use of industrial  
26 access funds by including costs associated with access to

1 certain military property or certain nonindustrial development  
2 sites that provide a specified number of full-time jobs.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 23-6-1, Code of Alabama 1975, is  
5 amended to read as follows:

6 "§23-6-1.

7 "Where used in this chapter the following words and  
8 terms shall be given the following respective meanings unless  
9 the context hereof clearly indicates otherwise:

10 "(1) CORPORATION. The public corporation authorized  
11 to be created by this chapter.

12 "(2) BOARD OF DIRECTORS. The board of directors of  
13 the corporation.

14 "(3) CODE. The Code of Alabama 1975, as amended.

15 "(4) GOVERNMENT SECURITIES. Any bonds or other  
16 obligations which as to principal and interest constitute  
17 direct obligations of, or are unconditionally guaranteed by,  
18 the United States of America, including obligations of any  
19 federal agency to the extent such obligations are  
20 unconditionally guaranteed by the United States of America and  
21 any certificates or any other evidences of an ownership  
22 interest in such obligations of, or unconditionally guaranteed  
23 by, the United States of America or in specified portions  
24 thereof (which may consist of the principal thereof or the  
25 interest thereon).

26 "(5) INDUSTRIAL ACCESS ROADS AND BRIDGES. The  
27 planning, design, and construction of ~~those~~ roads and bridges

1 on the public highway and street system providing access to  
2 industrial sites, active military installations or property  
3 used primarily for military purposes, or nonindustrial  
4 development sites, including contact or call centers, that  
5 maintain at least 100 full-time employees annually, to include  
6 including necessary right-of-way and utility activities  
7 provided by state law.

8 "(6) LEGISLATURE. The Legislature of Alabama.

9 "(7) NET INTEREST INCOME. Interest earned from an  
10 investment, net of that which represents a return of accrued  
11 interest, and the amount required to offset the amortization  
12 of any premium, paid in connection with the purchase of such  
13 investment.

14 "(8) PERMITTED INVESTMENTS.

15 "a. Government securities;

16 "b. Bonds, debentures, notes or other evidences of  
17 indebtedness issued by any of the following agencies, to the  
18 extent that such obligations are secured by the full faith and  
19 credit of the United States: Bank for Cooperatives; Federal  
20 Intermediate Credit Banks; Federal Financing Bank; Federal  
21 Home Loan Banks; Federal Farm Credit Bank; Export-Import Bank  
22 of the United States; Federal Land Banks; or Farmers Home  
23 Administration, or any other agency or corporation which has  
24 been or may hereafter be created by or pursuant to an act of  
25 the Congress of the United States as an agency or  
26 instrumentality thereof, the bonds, debentures, participation

1 certificates or notes of which are unconditionally guaranteed  
2 by the United States of America;

3 "c. Bonds, notes, pass through securities or other  
4 evidences of indebtedness of GNMA and participation  
5 certificates of FHLMC;

6 "d. Full faith and credit obligations of any state,  
7 provided that at the time of purchase such obligations are  
8 rated at least "AA" by Standard & Poor's Corporation and at  
9 least "Aa" by Moody's Investors Service;

10 "e. Public housing bonds issued by public agencies  
11 or municipalities and fully secured as to the payment of both  
12 principal and interest by contracts with the United States of  
13 America, or temporary notes, preliminary notes or project  
14 notes issued by public agencies or municipalities, in each  
15 case fully secured as to the payment of both principal and  
16 interest by a requisition or payment agreement with the United  
17 States of America;

18 "f. Time deposits evidenced by certificates of  
19 deposit issued by banks or savings and loan associations which  
20 are members of the Federal Deposit Insurance Corporation or  
21 the Federal Savings and Loan Insurance Corporation, provided  
22 that, to the extent such time deposits exceed available  
23 federal deposit insurance, such time deposits are fully  
24 secured by obligations described in paragraphs a., b., c., and  
25 e. above, which at all times have a market value (exclusive of  
26 accrued interest) at least equal to such bank time deposits so  
27 secured, including interest, and which meet the greater of 100

1 percent collateralization or the "AA" collateral levels  
2 established by Standard & Poor's Corporation for structured  
3 financings;

4 "g. Repurchase agreements for obligations of the  
5 type specified in paragraphs a., b., c., and e. above,  
6 provided such repurchase agreements are fully collateralized  
7 and secured by such obligations which have a market value  
8 (exclusive of accrued interest) at least equal to the purchase  
9 price of such repurchase agreements and which are held by a  
10 depository satisfactory to the State Treasurer in such manner  
11 as may be required to provide a perfected security interest in  
12 such obligations, and which meet the greater of 100 percent  
13 collateralization or the "AA" collateral levels established by  
14 Standard & Poor's Corporation for structured financings; and

15 "h. Uncollateralized investment agreements with, or  
16 certificates of deposit issued by, banks or bank holding  
17 companies, the senior long-term securities of which are rated  
18 at least "AA" by Standard & Poor's Corporation and at least  
19 "Aa" by Moody's Investors Service.

20 "(9) STATE. The State of Alabama."

21 Section 2. This act shall become effective on the  
22 first day of the third month following its passage and  
23 approval by the Governor, or its otherwise becoming law.