

1 HB274
2 182168-2
3 By Representatives Drake, Moore (B), Treadaway, Sessions,
4 Carns and Hill
5 RFD: Military and Veterans Affairs
6 First Read: 21-FEB-17

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8 SYNOPSIS: This bill would create a program 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
25 program for the retention and expansion of Alabama's military
26 installations; to expend program 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 program
3 funds under this act and submit an annual report to the
4 Legislature.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

13 (1) COMMISSION. The Alabama Job Creation and
14 Military Stability Commission.

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

18 (3) PROGRAM. The Military Stability Program
19 established by this act.

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

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

26 Section 3. There is hereby established within the
27 State Treasury the Military Stability Program. All state

1 appropriations and any other funds collected pursuant to this
2 act are hereby appropriated for the purposes provided in this
3 act and shall be deposited to the credit of the program. Any
4 funds remaining in the Military Stability Program fund at the
5 end of a fiscal year shall remain in the program and are
6 reappropriated until expended in accordance with the
7 provisions of this act.

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

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

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

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

23 (3) A certificate from at least one local
24 governmental entity stating that the entity believes the
25 submission by a potential recipient to be true and accurate if
26 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 of the program by a
7 recipient shall be a factor in determining any future award to
8 the recipient or any local governmental entity which issued a
9 certificate in support of the recipient as provided in
10 subdivision (3) of subsection (b).

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

13 Section 5. (a) The commission shall provide an
14 annual report to the Legislature no later than the 15th
15 legislative day of the regular session following the
16 conclusion of any year in which an appropriation was made to
17 the program or funds of the program were disbursed or
18 expended.

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

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

23 Section 7. The provisions of this act are severable.
24 If any part of this act is declared invalid or
25 unconstitutional, that declaration shall not affect the part
26 which remains.

1 Section 8. All laws or parts of laws which conflict
2 with this act are repealed.

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