

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

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to industrial access; to amend Section  
12 23-6-1, Code of Alabama 1975, to expand the use of industrial  
13 access funds by including costs associated with access to  
14 certain military property or certain nonindustrial development  
15 sites that provide a specified number of full-time jobs.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

19 "§23-6-1.

20 "Where used in this chapter the following words and  
21 terms shall be given the following respective meanings unless  
22 the context hereof clearly indicates otherwise:

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

25 "(2) BOARD OF DIRECTORS. The board of directors of  
26 the corporation.

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

1           "(4) GOVERNMENT SECURITIES. Any bonds or other  
2 obligations which as to principal and interest constitute  
3 direct obligations of, or are unconditionally guaranteed by,  
4 the United States of America, including obligations of any  
5 federal agency to the extent such obligations are  
6 unconditionally guaranteed by the United States of America and  
7 any certificates or any other evidences of an ownership  
8 interest in such obligations of, or unconditionally guaranteed  
9 by, the United States of America or in specified portions  
10 thereof (which may consist of the principal thereof or the  
11 interest thereon).

12           "(5) INDUSTRIAL ACCESS ROADS AND BRIDGES. The  
13 planning, design, and construction of ~~those~~ roads and bridges  
14 on the public highway and street system providing access to  
15 ~~industrial sites~~ active military installations or property  
16 used primarily for military purposes or qualifying projects  
17 that conduct an activity specified in subdivision (1) of  
18 Section 40-18-372, to include including necessary right-of-way  
19 and utility activities provided by state law.

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

21           "(7) NET INTEREST INCOME. Interest earned from an  
22 investment, net of that which represents a return of accrued  
23 interest, and the amount required to offset the amortization  
24 of any premium, paid in connection with the purchase of such  
25 investment.

26           "(8) PERMITTED INVESTMENTS.

27           "a. Government securities;

1            "b. Bonds, debentures, notes or other evidences of  
2 indebtedness issued by any of the following agencies, to the  
3 extent that such obligations are secured by the full faith and  
4 credit of the United States: Bank for Cooperatives; Federal  
5 Intermediate Credit Banks; Federal Financing Bank; Federal  
6 Home Loan Banks; Federal Farm Credit Bank; Export-Import Bank  
7 of the United States; Federal Land Banks; or Farmers Home  
8 Administration, or any other agency or corporation which has  
9 been or may hereafter be created by or pursuant to an act of  
10 the Congress of the United States as an agency or  
11 instrumentality thereof, the bonds, debentures, participation  
12 certificates or notes of which are unconditionally guaranteed  
13 by the United States of America;

14            "c. Bonds, notes, pass through securities or other  
15 evidences of indebtedness of GNMA and participation  
16 certificates of FHLMC;

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

21            "e. Public housing bonds issued by public agencies  
22 or municipalities and fully secured as to the payment of both  
23 principal and interest by contracts with the United States of  
24 America, or temporary notes, preliminary notes or project  
25 notes issued by public agencies or municipalities, in each  
26 case fully secured as to the payment of both principal and

1 interest by a requisition or payment agreement with the United  
2 States of America;

3 "f. Time deposits evidenced by certificates of  
4 deposit issued by banks or savings and loan associations which  
5 are members of the Federal Deposit Insurance Corporation or  
6 the Federal Savings and Loan Insurance Corporation, provided  
7 that, to the extent such time deposits exceed available  
8 federal deposit insurance, such time deposits are fully  
9 secured by obligations described in paragraphs a., b., c., and  
10 e. above, which at all times have a market value (exclusive of  
11 accrued interest) at least equal to such bank time deposits so  
12 secured, including interest, and which meet the greater of 100  
13 percent collateralization or the "AA" collateral levels  
14 established by Standard & Poor's Corporation for structured  
15 financings;

16 "g. Repurchase agreements for obligations of the  
17 type specified in paragraphs a., b., c., and e. above,  
18 provided such repurchase agreements are fully collateralized  
19 and secured by such obligations which have a market value  
20 (exclusive of accrued interest) at least equal to the purchase  
21 price of such repurchase agreements and which are held by a  
22 depository satisfactory to the State Treasurer in such manner  
23 as may be required to provide a perfected security interest in  
24 such obligations, and which meet the greater of 100 percent  
25 collateralization or the "AA" collateral levels established by  
26 Standard & Poor's Corporation for structured financings; and

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

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

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

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Senate

Read for the first time and referred to the Senate  
committee on Transportation and Energy..... 23-FEB-17

Read for the second time and placed on the calen-  
dar 1 amendment..... 09-MAR-17

Read for the third time and passed as amended .... 16-MAR-17

Yeas 29  
Nays 0

Patrick Harris,  
Secretary.