

1 HB390  
2 114373-1  
3 By Representatives Shiver and Jackson (N & P)  
4 RFD: Local Legislation  
5 First Read: 21-JAN-10

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Monroe County; to amend Act 85-898,  
14 Second Special Session 1985 (Acts 1985, Second Special  
15 Session, p. 156), authorizing the county commission to levy a  
16 special sales and use tax in the county; to further provide  
17 for the distribution of the revenue to the City of  
18 Monroeville.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 8 of Act 85-898, Second Special  
21 Session 1985 (Acts 1985, Second Special Session, p. 156), is  
22 amended to read as follows:

23 "Section 8. Distribution shall be made to the  
24 following municipalities in Monroe County, Alabama, out of the  
25 receipts of the one cent sales tax as follows:

1           "City of Monroeville: one-half of one cent sales tax  
2 collected in the corporate limits of the City of Monroeville  
3 under the provisions of this act.

4           "City of Frisco City: one-half of one cent sales tax  
5 collected in the corporate limits of the City of Frisco City  
6 under the provisions of this act with a minimum amount of  
7 \$30,000 per annum. Plus an additional appropriation of \$15,000  
8 per year.

9           "Town of Excel: one-half of one cent sales tax  
10 collected in the corporate limits of the Town of Excel under  
11 the provisions of this act with a minimum amount of \$2,750 per  
12 annum. Plus an additional appropriation of \$10,000 per year.

13           "The appropriation to each of the above  
14 municipalities shall be made provided, however, that should an  
15 agreement be reached between the Monroe County Commission and  
16 any respective municipality named in this section for the  
17 Monroe County Commission to operate and/or pick up garbage  
18 within the corporate limits of the respective municipality at  
19 the expense of the Monroe County Commission the appropriation  
20 to the respective municipality named in this section shall not  
21 apply, and shall not be paid to the municipality. In addition,  
22 the appropriation shall not be paid with respect to any  
23 revenue accruing from any property which is annexed to the  
24 City of Monroeville after January 1, 2010, except the  
25 appropriation shall be paid with respect to revenue accruing  
26 from the following parcels if annexed to the City of  
27 Monroeville after January 1, 2010:

1                   "Parcel One.

2                   "Commence at the Southeast corner of the Northeast  
3 Quarter of the Southeast Quarter of Section 14, Township 6  
4 North, Range 7 East, Monroe County, Alabama, also being a 2"  
5 open top iron pin found and the Point of Beginning; thence run  
6 South 00 degrees 25 minutes 27 seconds East for a distance of  
7 572.00 feet to an iron pin set; thence run North 65 degrees 52  
8 minutes 47 seconds West for a distance of 1069.71 feet to an  
9 iron pin set; thence run North 42 degrees 06 minutes 24  
10 seconds East for a distance of 204.00 feet to a 1/2" rebar  
11 found; thence run South 88 degrees 52 minutes 04 seconds East  
12 for a distance of 835.46 feet back to the Point of Beginning.

13                   "Parcel Two.

14                   "Commence at the Southeast corner of the Northeast  
15 Quarter of the Southeast Quarter of Section 14, Township 6  
16 North, Range 7 East, Monroe County, Alabama, also being a 2"  
17 open top iron pin found; thence run south 00 degrees 25  
18 minutes 27 seconds East for a distance of 673.27 feet to a 2"  
19 open top iron pin found; thence run south 00 degrees 05  
20 minutes 30 seconds East for a distance of 591.53 feet to a 2"  
21 open top iron pin found; thence South 00 degrees 05 minutes 30  
22 seconds East for a distance of 19.05 feet to an iron pin set;  
23 thence run North 89 degrees 55 minutes 22 seconds West for a  
24 distance of 667.00 feet to an iron pin set and the Point of  
25 Beginning; thence run North 89 degrees 55 minutes 22 seconds  
26 West for a distance of 1347.03 feet to an iron pin set; thence  
27 run North 42 degrees 06 minutes 24 seconds East for a distance

1 of 738.06 feet to an iron pin set; thence run South 65 degrees  
2 52 minutes 47 seconds East for a distance of 933.91 feet to an  
3 iron pin set; thence run South 00 degrees 04 minutes 38  
4 seconds West for a distance of 167.74 feet back to the Point  
5 of Beginning.

6 "The Monroe County Commission shall have the right,  
7 at its discretion, to appropriate any additional amounts from  
8 the receipts of the one cent sales tax to each of the  
9 municipalities in Monroe County, any additional appropriation  
10 to the municipalities shall be made from the general fund to  
11 which this one cent sales tax is deposited and shall be done  
12 by resolution of the Monroe County Commission which resolution  
13 shall determine the additional amount paid to each  
14 municipality and shall be spread upon the minutes of the said  
15 Monroe County Commission."

16 Section 2. This act shall become effective  
17 immediately following its passage and approval by the  
18 Governor, or its otherwise becoming law.