

1 HB527
2 151449-7
3 By Representative McCampbell (N & P)
4 RFD: Local Legislation
5 First Read: 25-FEB-14

1
2 ENROLLED, An Act,

3 Relating to Sumter County; to amend Act 83-480,
4 (Acts 1983, p. 672), as amended, which levies fees on the
5 disposal of certain wastes and distributes the proceeds of the
6 fees; to amend Sections 2 and 4 of the act; to provide further
7 for the fees and the distributions of the proceeds of the
8 fees; to repeal conflicting local Act 90-612, (Acts 1990, p.
9 1124), as amended by Act 94-700, (Acts 1994, p. 1350); and to
10 provide that the legal operation of this act is contingent
11 upon the enactment at the 2014 Regular Session of an act
12 amending Section 22-30B-2.1, Code of Alabama 1975, to restore
13 funding for the distributions made in this act.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. ~~Section 4~~ Sections 2 and 4 of Act 83-480,
16 (Acts 1983, p. 672), as amended, ~~is~~ are hereby further amended
17 to read as follows:

18 Section 2. There is hereby levied a fee to be paid
19 by each operator of a commercial site for the disposal of
20 hazardous waste in the amount of three dollars and fifty cents
21 (\$3.50) per ton. It is the intent of this law to cover only
22 material that is land filled at the site. It shall exclude any
23 material which is stored, transshipped, recycled, or processed
24 for other use.

1 "Section 4. (a) From the \$.40 per ton portion
2 dedicated for health purposes pursuant to Section 22-30B-4,
3 Code of Alabama 1975, the following distributions shall be
4 made:

5 (1) Thirty-five percent (35%) to the Sumter County
6 Health Department.

7 (2) Thirty-six percent (36%) to the Hill Hospital
8 Board of Directors.

9 (3) Fourteen percent (14%) to West Alabama Mental
10 Health.

11 (4) Five percent (5%) to the Sumter County EMS.

12 (5) Five percent (5%) to the Sumter Department of
13 Human Resources.

14 (6) Five percent (5%) to the Sumter Board of
15 Education.

16 (b) The net revenue generated by fees levied by Act
17 83-480 shall be disbursed by Sumter County no later than the
18 15th day of each month as follows:

19 (1) Four thousand one hundred sixty-six dollars
20 sixty-seven cents (\$4,166.67) to the Hill Hospital (Bond
21 Obligation).

22 (2) Eight thousand three hundred thirty-three
23 dollars thirty-three cents to the Sumter Industrial Board.

24 (3) Two thousand five hundred dollars (\$2,500) to
25 the North Sumter Day Care Center.

1 (4) Four thousand one hundred sixty-six dollars
2 sixty-seven cents (\$4,166.67) to the Solid Waste Fund.

3 (5) Eight hundred thirty-three dollars thirty-three
4 cents (\$833.33) to the York Library.

5 (6) Eight hundred thirty-three dollars thirty-three
6 cents (\$833.33) to the Ruby Pickens Tartt Library.

7 (7) Eight hundred thirty-three dollars thirty-three
8 cents (\$833.33) to the Sumter Department of Human Resources to
9 be used for client services, including, but not limited to,
10 transportation expenses.

11 (8) Eight thousand three hundred thirty-three
12 dollars thirty-three cents (\$8,333.33) to the City of
13 Livingston Fire and Rescue Department to be used for training
14 and equipment for response to hazardous material cleanup,
15 containment, or disposal throughout the county. If other
16 certified public hazardous material responders are established
17 after the effective date of this act, the City of Livingston
18 Fire and Rescue Department may share the proceeds
19 proportionately with other certified units based on the area
20 or areas served.

21 "(c) The Sumter County Commission shall disburse the
22 remaining funds collected pursuant to Act 83-480 as follows:

23 (1) North Sumter Development 1%

24 (2) South Sumter Development Authority 1%

1	(3) Sumter Fine Arts Council	1%
2	(4) Soil and Water Conservation	.50%
3	(5) City of Livingston	5%
4	(6) City of York	5%
5	(7) Town of Epes	2%
6	(8) Town of Gainesville	2%
7	(9) Town of Cuba	2%
8	(10) Town of Geiger	3%
9	(11) Town of Emelle	3%
10	(12) Sumter Library Systems	1%
11	(13) Coleman Culture Center	.50%
12	(14) Sumter Historical Society	.50%
13	(15) Sumter Rescue Squad	1%
14	(16) Sumter Board of Education	17.5%
15	(17) University of West Alabama	5.5%
16	(18) Alabama Forestry Commission	1%
17	(19) Sumter Parks and Recreation Board	5%
18	(20) Sumter Commission - Unearmarked	22%
19	(21) Sumter Commission General Fund	
20	Earmarked for the county legislative	
21	delegation office, administrative	6%

1 costs, and accounting services for the
 2 county

- 3 (22) Sumter Trust Fund (Stipulations) 3.5%
- 4 (23) Law Enforcement Task Force .50%
- 5 (24) Sumter Fire Fighters Association 1.0%
- 6 (25) Federation of Southern Co-ops .50%
- 7 (26) Children of the Village .50%
- 8 (27) Home Away from Home .50%
- 9 (28) West Mid Alabama Development Cor-
 10 poration .50%
- 11 (29) Sumter County Alumni Association .50%
- 12 (30) Chamber of Commerce-Sumter County .50%
- 13 (31) Sumter County Community Correc-
 14 tions .50%
- 15 (32) Sumter Sewer Authority 3%,

but not exceeding \$100,000
 per fiscal year. Any per-
 centage amounts that would
 exceed this \$100,000 cap
 shall be distributed as
 provided in subsection (d)
 by the county commission.

16

1 (33) Sumter Water Authority 3%

2 "(d) (1) All recipients of funds pursuant to
3 subsection (c) must be a nonprofit or governmental entity and
4 must provide an annual financial report to the Chair of the
5 Sumter County Commission and the Sumter County legislative
6 delegation. The delegation may also adopt rules for and
7 require the application of additional financial assurances of
8 an entity, including the requirement of periodic audits of the
9 entities.

10 "(2) If any nonprofit receiving payment pursuant to
11 subsection (c) is dissolved or loses its nonprofit status, its
12 distributive share shall be held in trust by the Sumter County
13 Commission for up to one fiscal quarter and shall be
14 redistributed by resolution to one or more nonprofit or
15 governmental entities named in subsection (c)."

16 Section 2. Act 90-612, (Acts 1990, p. 1124), 1990
17 Regular Session, as amended by Act 94-700, (Acts 1994, p.
18 1354), 1994 Regular Session, is hereby repealed.

19 Section 3. This act shall become legally operative
20 only if a general bill is enacted by the Legislature in the
21 2014 Regular Session that restores funding for this act by
22 amending ~~Sections 22-30B-2.1 and 22-30B-4~~ Section 22-30B-2.1,
23 Code of Alabama 1975.

1 Section 4. This act shall become effective, subject
2 to the contingency provided in Section 3, on the first day of
3 the third month following its passage and approval by the
4 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 27-FEB-14.

Jeff Woodard
Clerk

Senate	<hr/> 06-MAR-14 <hr/>	Amended and Passed
House	<hr/> 11-MAR-14 <hr/>	Concurred in Sen- ate Amendment