

1 HB309  
2 189107-1  
3 By Representative Chesteen  
4 RFD: Agriculture and Forestry  
5 First Read: 25-JAN-18

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the Agricultural and  
9 Conservation Development Commission is authorized  
10 to spend its revolving fund for the operation of  
11 the commission and related purposes. Any remaining  
12 funds may be allocated to the local soil and water  
13 conservation districts, with a minimum base  
14 allocation of one percent of available funds for  
15 each district.

16 This bill would delete the minimum  
17 allocation provision and would provide for the  
18 consideration of the soil and water conservation  
19 needs in the districts in the use of the funds.

20  
21 A BILL  
22 TO BE ENTITLED  
23 AN ACT

24  
25 Relating to the Agricultural and Conservation  
26 Development Commission; to amend Section 9-8A-5 of the Code of  
27 Alabama 1975, to further specify the allocation of funds to

1 the soil and water conservation districts and to delete the  
2 minimum allocation.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 9-8A-5 of the Code of Alabama  
5 1975, is amended to read as follows:

6 "§9-8A-5.

7 "(a) Funds allocated to the soil and water  
8 conservation districts by the commission shall be used only to  
9 pay the costs of installing soil and water conservation  
10 practices of the types listed in Section 9-8A-7. Soil and  
11 water conservation district supervisors shall designate which  
12 soil and water conservation practices will be eligible for  
13 cost-share grants in their district, subject to approval by  
14 the Agricultural and Conservation Development Commission. The  
15 commission ~~will~~, through the State Soil and Water Conservation  
16 Committee, may allocate any available appropriations and other  
17 moneys received by the commission for cost-share grants to the  
18 soil and water conservation districts in steps identified as  
19 original allocation, reversion of allocated funds, and  
20 reallocation of reverted funds.

21 "(b) Original allocation. The commission ~~will~~ may  
22 allocate funds to the state's 67 soil and water conservation  
23 districts at the beginning of ~~each~~ a fiscal year ~~following~~  
24 ~~June 4, 1985,~~ in accordance with formulas established by the  
25 commission taking into account the percentage of the state's  
26 highly erosive areas in, the reforestation needs and other  
27 soil and water conservation needs of, and the agricultural

1 water pollution problems of, each soil and water conservation  
2 district in the state, ~~subject to a minimum base allocation of~~  
3 ~~1 percent of available funds for each soil and water~~  
4 ~~conservation district. The minimum is imposed to assure that~~  
5 ~~each district receives an allocation that will allow a~~  
6 ~~workable program.~~

7 "(c) Reversion of allocated funds. Any allocated  
8 funds allocated in a fiscal year that the soil and water  
9 conservation districts have not obligated by March 1 of that  
10 fiscal year, and any allocated funds that were obligated  
11 during the previous year for projects respecting which  
12 disbursements have not been begun by March 1 will revert to  
13 the commission for reallocation.

14 "(d) Reallocation of reverted funds. The soil and  
15 water conservation districts shall submit requests for  
16 reallocation of reverted funds identifying valid applications  
17 and cost estimates, if any, to the commission by February 1 of  
18 each year. The allocation to any district will be the lesser  
19 of:

20 "(1) The amount of available moneys less reserve  
21 fund divided by the number of districts applying for a  
22 reallocation, or

23 "(2) The amount requested.

24 "(e) Reserve funds. The commission shall administer  
25 a reserve fund for each program year that shall not exceed  
26 ~~\$10,000.00~~ ten thousand dollars (\$10,000) to be set aside and  
27 used only to meet contingencies that occur in the districts or

1       within the commission. Each time a reallocation is made to the  
2       districts an allocation will be made to the reserve fund if  
3       necessary to return the reserve fund balance to the  
4       appropriate level."

5                   Section 2. This act shall become effective  
6       immediately following its passage and approval by the  
7       Governor, or its otherwise becoming law.