

1 HB608
2 139766-2
3 By Representative Barton
4 RFD: Ways and Means General Fund
5 First Read: 22-MAR-12

1 ENGROSSED

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3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Section 22-40A-15, Code of Alabama 1975, to
9 change for the fiscal year 2013 and 2014 only the distribution
10 of the scrap tire environmental fee of the Department of
11 Environmental Management from the Scrap Tire Fund to the State
12 General Fund.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 22-40A-15, Code of Alabama 1975,
15 is amended to read as follows:

16 "§22-40A-15.

17 The net proceeds of the scrap tire environmental fee
18 levied by Section 22-40A-14 shall be distributed ~~as follows:~~
19 in its entirety to the State General Fund for the twelve
20 months of collections ending September 30, 2013 and September
21 30, 2014 only. For the fiscal year beginning October 1, 2014
22 and each fiscal year thereafter the net proceeds of the scrap
23 tire environmental fee levied by Section 22-40A-14 shall be
24 distributed as follows: .

25 (1) To pay the costs of remediation, abatement,
26 removal, or other remedial action within the range of 45
27 percent to 75 percent of monies deposited to the Scrap Tire

1 Fund during the previous budget year, including equipment,
2 labor, supplies, and materials related to tire stockpiles
3 throughout the state, including all approved costs incurred by
4 other public agencies involved in these activities by contract
5 with the department.

6 (2) To pay the costs of the department associated
7 with the development and enforcement of regulations, not to
8 exceed 20 percent of monies deposited to the Scrap Tire Fund
9 during the previous budget year, including personnel,
10 training, materials, and equipment relating to administration
11 of this chapter and for the training of enforcement personnel
12 within the department, county, and other governmental
13 organizations. Funds not expended by the department during a
14 budget year shall be returned to the Scrap Tire Fund not later
15 than January 1 following the end of the budget year.

16 (3) To administer a program, within the range of
17 zero percent to 20 percent of monies deposited to the Scrap
18 Tire Fund during the previous budget year, directed at
19 statewide educational and technical seminars for the public or
20 regulated communities, or both, coordination of state and
21 federal agencies for promoting and developing markets, and
22 technical assistance from the scrap tire staff of the
23 department related to reuse and market development. The
24 department shall maintain an on-line directory of alternatives
25 to the landfill disposal of scrap tires or processed tire
26 material. The department or its successor organization shall
27 be so authorized by this chapter for these purposes, and shall

1 inform and update the Scrap Tire Commission of marketing plans
2 and technical assistance programs developed pursuant to this
3 chapter.

4 (4) To fund the programs delegated by the department
5 to counties for enforcement of regulations, not to exceed 10
6 percent of monies deposited to the Scrap Tire Fund during the
7 previous budget year, including personnel, training,
8 materials, and equipment relating to administration of this
9 chapter.

10 (5) To pay the tire retailer, not to exceed seven
11 percent of fees collected, for collection and accounting costs
12 associated with collection of the fee and the monthly
13 distribution to the Department of Revenue, as specified in
14 subsection (c) of Section 22-40A-14.

15 (6) To pay the costs of administration of the
16 Department of Revenue, not to exceed two percent of monies, to
17 include the first charge against revenues pursuant to
18 subsection (f) of Section 22-40A-14, deposited to the Scrap
19 Tire Fund during the previous budget year, associated with
20 establishment of the Scrap Tire Fund and for the receipt of
21 funds from all income sources pursuant to this chapter,
22 disbursements, and auditing revenues in the Scrap Tire Fund.

23 Section 2. This act shall become effective September
24 1, 2012 following its passage and approval by the Governor, or
25 its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Ways and Means
General Fund..... 22-MAR-12

Read for the second time and placed
on the calendar 1 amendment 05-APR-12

Read for the third time and passed
as amended..... 10-APR-12

Yeas 64, Nays 33, Abstains 0

Greg Pappas
Clerk