

1 HB616
2 165838-5
3 By Representatives McCampbell and Howard (N & P)
4 RFD: Local Legislation
5 First Read: 05-MAY-15

9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to Sumter County; to amend Act 83-480,
14 (Acts 1983, p. 672), as amended, which levies fees on the
15 disposal of certain wastes and distributes the proceeds of the
16 fees; to amend Sections 2 and 4 of the act; to provide further
17 for the fees and the distributions of the proceeds of the
18 fees; and to repeal conflicting local laws, including
19 specifically Act 90-612, (Acts 1990, p. 1124), as amended by
20 Act 94-700, (Acts 1994, p. 1350).

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Sections 2 and 4 of Act 83-480, (Acts
23 1983, p. 672), as amended, are hereby further amended to read
24 as follows:

25 "Section 2. There is hereby levied a fee to be paid
26 by each operator of a commercial site for the disposal of
27 hazardous waste in the amount of three dollars and fifty cents

1 (\$3.50) per ton. It is the intent of this law to cover only
2 material that is land filled at the site. It shall exclude any
3 material which is stored, transshipped, recycled, or processed
4 for other use.

5 "Section 4. (a) The proceeds of the fees generated
6 by this act and Section 22-30B-2, Code of Alabama 1975, shall
7 first be distributed in monthly installments, as follows:

8 "(1) Four thousand six hundred seventy five dollars
9 (\$4,675) to the Hill Hospital (Bond Obligation).

10 "(2) Four thousand dollars (\$4,000) to the Sumter
11 Industrial Board.

12 "(3) Four thousand dollars (\$4,000) to the Solid
13 Waste Fund.

14 "(4) Four thousand dollars (\$4,000) to the City of
15 Livingston to be used by the Fire and Rescue Department for
16 training and equipment for response to hazardous material
17 cleanup, containment, or disposal throughout the county. If
18 other certified public hazardous material responders are
19 established after the effective date of this act, the City of
20 Livingston Fire and Rescue Department shall share the proceeds
21 proportionately with other certified units based on the area
22 or areas served.

23 "(b) After the distributions are made pursuant to
24 subsection (a), the Sumter County Commission shall distribute
25 the remaining funds as follows:

| | | |
|----|-------------------------------------|-----|
| 1 | "(1) Sumter County Commission - | |
| 2 | Unearmarked | 30% |
| 3 | "(2) Sumter County Commission Gen- | |
| 4 | eral Fund, to be earmarked for the | |
| 5 | county legislative delegation of- | |
| 6 | fice, administrative costs, and ac- | |
| 7 | counting services for the county | 5% |
| 8 | "(3) Sumter County Board of Educa- | |
| 9 | tion | 15% |
| 10 | "(4) Sumter County Trust Fund | |
| 11 | (Stipulations) | 5% |
| 12 | "(5) University of West Alabama | 5% |
| 13 | "(6) City of Livingston | 5% |
| 14 | "(7) City of York | 5% |
| 15 | "(8) Town of Epes | 3% |
| 16 | "(9) Town of Gainesville | 3% |
| 17 | "(10) Town of Geiger | 3% |
| 18 | "(11) Town of Emelle | 3% |
| 19 | "(12) Town of Cuba | 2% |
| 20 | "(13) Sumter County Rescue Squad | 1% |
| 21 | "(14) Sumter County Fire Fighters | |
| 22 | Association | 1% |
| 23 | "(15) Sumter County Sewer Authority | |
| 24 | (with stipulation) | 3% |

but not exceeding
\$100,000 per fiscal
year. Any percentage
amounts that would ex-
ceed this \$100,000 cap
shall be distributed
as provided in subsec-
tion (c) by the county
commission.

"(16) Sumter County Water Authority 3%

"(17) Sumter County Library Systems
3%

of the 3%, 1% shall be
distributed to the
York Library and 1%
shall be distributed
to the Ruby Pickens
Tartt Library

"(18) Coleman Culture Center .50%

"(19) Sumter Historical Society .50%

"(20) Federation of Southern Coop-
eratives .50%

"(21) Sumter County Chamber of Com-
merce .50%

"(22) Hill Hospital 1%

1 "(23) Sumter Industrial Board 1%

2 "(24) Sumter County Department of
3 Human Resources 1%

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

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

18 Section 2. All laws or parts of law in conflict with
19 this act are repealed and replaced by this act and Act 90-612,
20 (Acts 1990, p. 1124), 1990 Regular Session, as amended by Act
21 94-700, (Acts 1994, p. 1354), 1994 Regular Session, is hereby
22 specifically repealed.

23 Section 3. This act shall become effective on the
24 first day of the first month following its passage and
25 approval by the Governor, or its otherwise becoming law.

