

1 HB341
2 115135-1
3 By Representatives Page and Galliher (N & P)
4 RFD: Local Legislation
5 First Read: 19-JAN-10

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Etowah County; to amend Section 3 of Act
14 95-284, 1995 Regular Session (Acts 1995, p. 5270), as amended
15 by Act 2003-184, 2003 Regular Session (Acts 2003, p. 491), and
16 further amended by Act 2009-302, 2009 Regular Session, and Act
17 2009-591, 2009 Regular Session; to further provide that a
18 portion of the proceeds distributed to the county and city
19 school systems and the Gadsden State Community College may be
20 used in times of proration to pay a portion of the salary of
21 the certified personnel of the school systems and the Gadsden
22 State Community College.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 3 of Act 95-284, 1995 Regular
25 Session (Acts 1995, p. 5270), as amended by Act 2003-184, 2003
26 Regular Session (Acts 2003, p. 491), and further amended by

1 Act 2009-302, 2009 Regular Session, and Act 2009-591, 2009
2 Regular Session, is further amended to read as follows:

3 "Section 3.

4 "The net proceeds of any sales and use tax levied
5 pursuant to this act shall be distributed annually as follows:

6 "(1) The first sixty thousand dollars (\$60,000) to
7 Smeltzer Education Training Center.

8 "(2) The next fifty thousand dollars (\$50,000) to
9 Mental Retardation 310 Center.

10 "(3) The next ten thousand dollars (\$10,000) to the
11 Etowah County Rescue Squad.

12 "(4) The next five thousand dollars (\$5,000) to the
13 Attalla Rescue Squad.

14 "(5)a. Fifty percent of the remaining proceeds to be
15 used only for construction, maintenance, equipment, or
16 supplies shall be distributed as follows: 85 percent to the
17 Gadsden School System, the Etowah County School System, and
18 the Attalla School System on a pro rata basis, according to
19 the official average daily attendance for the previous school
20 year, and 15 percent to Gadsden State Community College. Each
21 school board shall receive and administer the proceeds of the
22 sales and use taxes and shall have the authority to issue
23 bonds, secure financing, and retire debt.

24 "b. Notwithstanding the provisions of paragraph a.,
25 should the Governor declare proration in the state education
26 trust fund budget, all of the remaining proceeds may be used
27 to pay the salaries of the certified personnel of the school

1 systems or Gadsden State Community College. This discretion
2 only exists when the education trust fund budget is in
3 proration.

4 "(6) Seventy percent of the remaining 50 percent to
5 the Etowah County General Fund for juvenile detention, debt
6 retirement, senior citizen services, and public safety. From
7 these funds, the county shall be responsible for insurance,
8 utilities, and maintenance of the community buildings in the
9 unincorporated areas of the county completed or approved by
10 the effective date of the act adding this language with funds
11 from the Community Development Committee. All future
12 construction of community buildings in the unincorporated
13 areas shall be approved by the county commission.

14 "(7) Eighteen percent of the remaining 50 percent to
15 the Etowah County Community Development Committee.

16 "These funds shall be divided equally among the
17 three House of Representatives districts in Etowah County. The
18 funds in each district shall be expended only on projects
19 located in the respective House district. The expenditure of
20 funds for each respective district shall be voted on and
21 approved by the respective House district appointee and Senate
22 appointee. The House appointee and Senate appointee for a
23 district may call a district meeting for the purpose of this
24 provision.

25 "(8) Six percent of the remaining 50 percent to the
26 Etowah County Library Committee. Of this amount, two thousand

1 five hundred dollars (\$2,500) shall be distributed annually to
2 each public school library.

3 "(9) Six percent of the remaining 50 percent to be
4 shared equally among county volunteer fire departments."

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