

1 SB230  
2 115135-3  
3 By Senator Means (N & P)  
4 RFD: Local Legislation No. 1  
5 First Read: 14-JAN-10

1 SB230

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Etowah County; to amend Section 3 of Act  
8 95-284, 1995 Regular Session (Acts 1995, p. 5270), as amended  
9 by Act 2003-184, 2003 Regular Session (Acts 2003, p. 491), and  
10 further amended by Act 2009-302, 2009 Regular Session, and Act  
11 2009-591, 2009 Regular Session; to further provide that a  
12 portion of the proceeds distributed to the county and city  
13 school systems and the Gadsden State Community College may be  
14 used in times of proration to pay a portion of the salary of  
15 the certified personnel of the school systems and the Gadsden  
16 State Community College.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Section 3 of Act 95-284, 1995 Regular  
19 Session (Acts 1995, p. 5270), as amended by Act 2003-184, 2003  
20 Regular Session (Acts 2003, p. 491), and further amended by  
21 Act 2009-302, 2009 Regular Session, and Act 2009-591, 2009  
22 Regular Session, is further amended to read as follows:

23 "Section 3.

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

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

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

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

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

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

19           "b. Notwithstanding the provisions of paragraph a.,  
20 should the Governor declare proration in the state education  
21 trust fund budget, all of the remaining proceeds may be used  
22 to pay the salaries of the certified personnel of the school  
23 systems or Gadsden State Community College. This discretion  
24 only exists when the education trust fund budget is in  
25 proration.

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

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

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

22           "(8) Six percent of the remaining 50 percent to the  
23 Etowah County Library Committee. Of this amount, two thousand  
24 five hundred dollars (\$2,500) shall be distributed annually to  
25 each public school library.

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

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

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President Pro Tempore and Presiding Officer of  
the Senate

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Speaker of the House of Representatives

SB230

Senate 16-FEB-10

I hereby certify that the within Act originated in and passed  
the Senate.

McDowell Lee  
Secretary

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House of Representatives  
Passed: 18-FEB-10

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By: Senator Means