

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

2
3
4
5
6
7
8 SYNOPSIS: This bill amends Section 22-40A-15, Code of
9 Alabama, 1975 to change the distribution of the net
10 proceeds of the scrap tire environmental fee of the
11 Department of Environmental Management from the
12 Scrap Tire Fund to the State General Fund.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 To amend Section 22-40A-15, Code of Alabama 1975, to
19 change the distribution of the scrap tire environmental fee of
20 the Department of Environmental Management from the Scrap Tire
21 Fund to the State General Fund.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

25 "§22-40A-15.

1 The net proceeds of the scrap tire environmental fee
2 levied by Section 22-40A-14 shall be distributed ~~as follows:~~
3 in its entirety to the State General Fund.

4 ~~(1) To pay the costs of remediation, abatement,~~
5 ~~removal, or other remedial action within the range of 45~~
6 ~~percent to 75 percent of monies deposited to the Scrap Tire~~
7 ~~Fund during the previous budget year, including equipment,~~
8 ~~labor, supplies, and materials related to tire stockpiles~~
9 ~~throughout the state, including all approved costs incurred by~~
10 ~~other public agencies involved in these activities by contract~~
11 ~~with the department.~~

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

22 ~~(3) To administer a program, within the range of~~
23 ~~zero percent to 20 percent of monies deposited to the Scrap~~
24 ~~Tire Fund during the previous budget year, directed at~~
25 ~~statewide educational and technical seminars for the public or~~
26 ~~regulated communities, or both, coordination of state and~~
27 ~~federal agencies for promoting and developing markets, and~~

1 ~~technical assistance from the scrap tire staff of the~~
2 ~~department related to reuse and market development. The~~
3 ~~department shall maintain an on-line directory of alternatives~~
4 ~~to the landfill disposal of scrap tires or processed tire~~
5 ~~material. The department or its successor organization shall~~
6 ~~be so authorized by this chapter for these purposes, and shall~~
7 ~~inform and update the Scrap Tire Commission of marketing plans~~
8 ~~and technical assistance programs developed pursuant to this~~
9 ~~chapter.~~

10 ~~(4) To fund the programs delegated by the department~~
11 ~~to counties for enforcement of regulations, not to exceed 10~~
12 ~~percent of monies deposited to the Scrap Tire Fund during the~~
13 ~~previous budget year, including personnel, training,~~
14 ~~materials, and equipment relating to administration of this~~
15 ~~chapter.~~

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

21 ~~(6) To pay the costs of administration of the~~
22 ~~Department of Revenue, not to exceed two percent of monies, to~~
23 ~~include the first charge against revenues pursuant to~~
24 ~~subsection (f) of Section 22-40A-14, deposited to the Scrap~~
25 ~~Tire Fund during the previous budget year, associated with~~
26 ~~establishment of the Scrap Tire Fund and for the receipt of~~

1 ~~funds from all income sources pursuant to this chapter,~~
2 ~~disbursements, and auditing revenues in the Scrap Tire Fund.~~

3 Section 2. This act shall become effective September
4 1, 2012 following its passage and approval by the Governor, or
5 its otherwise becoming law.