SB411

135742-1

By Senators Holtzclaw and Orr (N & P)

RFD: Local Legislation No. 1

First Read: 15-MAR-12
A BILL

TO BE ENTITLED

AN ACT

Relating to Limestone County; amending Section 1 of Act No. 79-501, 1979 Regular Session (Acts 1979, p. 914), as last amended by Act 2010-549, 2010 Regular Session (Acts 2010, p. 975), which provides for the distribution of TVA payments, so as to provide further for the distribution of certain payments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 79-501, 1979 Regular Session (Acts 1979, p. 914), as last amended by Act 2010-549, 2010 Regular Session (Acts 2010, p. 975), is further amended to read as follows:

"Section 1. Upon receipt by Limestone County of funds pursuant to Title 40, Chapter 28 of the Code of Alabama 1975, (Acts No. 92 of the 1978 Alabama Legislature, approved
Limestone County will within a reasonable time thereafter, distribute the funds so received as follows:

"(a) Effective through September 30, 2006, all funds shall be distributed as prescribed by this section as amended by Act 86-550, 1986 Regular Session.

"(b) Effective October 1, 2007, and thereafter, the funds shall be distributed as follows:

"(1) Before the percentage formula of distribution contained in subdivision (2) of this act is applied, the sum of two hundred ninety-three thousand dollars ($293,000) shall be distributed in the following manner: Forty thousand dollars ($40,000) to Auburn University to be used exclusively for the benefit of the Limestone County Cooperative Extension Service, seven thousand five hundred dollars ($7,500) to the Limestone County Soil and Water Conservation District, thirty-seven thousand five hundred dollars ($37,500) to the Limestone County Economic Development Association, Inc., thirty-five thousand dollars ($35,000) to the Athens-Limestone Public Library, five thousand dollars ($5,000) to the Houston Memorial Library, twelve thousand dollars ($12,000) to the Veteran's Museum and Archives, and twelve thousand dollars ($12,000) to each of the 13 volunteer fire departments in the county in existence on January 1, 2006.

"(2) After the allocations as set forth in subdivision (1) has been completed, the remainder of all funds
received by Limestone County pursuant to Title 40, Chapter 28 of the Code of Alabama 1975 (Act 92 of the 1978 Alabama Legislature), is to be distributed as follows: Limestone County General Fund, 25 percent; Limestone County Public Building Fund, 10 percent; Special Hospital Tax Fund, five percent; Countywide School Fund, 23.5 percent; School District 1, nine percent; School District 3, six percent; City of Athens, 20 percent; City of Ardmore, one percent; City of Elkmont, .38 percent; City of Mooresville, .06 percent; City of Lester, .06 percent.

For fiscal year 2013, the amount distributed in this subdivision to the school districts is to be distributed as follows: School District 1, ten percent; School District 3, five percent. For fiscal year 2014 and thereafter, the amount distributed in this subdivision to the school districts is to be distributed as follows: School District 1, eleven percent; School District 3, four percent. Beginning in fiscal year 2015, the amount distributed in this subdivision to the school districts shall be determined annually by the County Commission based on the average daily membership of each school district.

"(3) Effective with the fiscal year beginning October 1, 2007, the three percent increase in the in-lieu-of-taxes payments generated by Act 2006-655, 2006 Regular Session, to counties served by the Tennessee Valley Authority shall be distributed separate and apart from the
distribution in subdivisions (1) and (2) above and shall be
distributed first to the following entities in the following
amounts:

"a. Limestone County Economic Development
Association, Inc., fifteen thousand dollars ($15,000).

"b. Athens-Limestone Public Library, fifty thousand
doixlars ($50,000).

"c. Calhoun Community College, twenty-five thousand
dollars ($25,000) to be expended solely for the benefit of the
Limestone County campus.

"d. Spirit of Athens, five thousand dollars
($5,000).

"e. Greater Athens Chamber of Commerce, five
thousand dollars ($5,000).

"f. Athens-Limestone County Rescue Squad, twelve
 thousand dollars ($12,000).

"g. Athens State University, fifty thousand dollars
($50,000) to be expended solely for the benefit of the
Limestone County campus.

"h. Limestone County Family Resource Center,
twenty-five thousand dollars ($25,000).

"i. Limestone County Recycling Center, five thousand
dollars ($5,000).

"j. Limestone County Economic Development Partners,
Inc., one hundred thousand dollars ($100,000) to be expended
solely to promote economic development, employment and growth
of jobs within all areas of Limestone County and the City of Athens.

Any remaining amounts shall be distributed in equal amounts to the City of Athens and the Limestone County Commission for the express purpose of paying for the debts and expenses related to the Elm Industrial Park. After the retirement of any debts and expenses related to the Elm Industrial Park, any remaining amounts shall be distributed in equal amounts to the City of Athens and the Limestone County Commission for economic development purposes.

"(4) Effective after the effective date of this act, any increase in the in-lieu-of-taxes payments generated by Act 2010-135, 2010 Regular Session, including any amounts not appropriated under Act 2010-549, to counties served by the Tennessee Valley Authority shall be distributed separate and apart from the distribution in subdivisions (1), (2), and (3) above and shall be set aside by the county commission in a separate fund to be used to establish, equip, and maintain a legislative office for members of the state legislature serving the county. All decisions concerning the Limestone County Legislative Office, including, but not limited to, revenue, income, purchases, and grants shall be made by resolutions of the delegation adopted by a concurrent majority of the Limestone County delegation, Senators and House of Representatives members, each house voting separately. Such resolution may provide an operational procedure for the
delegation office. The commission shall immediately pay such
amounts from such fund as the Limestone County Legislative
Delegation may request. Such requests shall be in the form of
a resolution passed by the county legislative delegation,
signed by one Senator and one member of the House of
Representatives from the county who shall be duly appointed by
the legislative delegation. This legislative delegation shall
expend such monies to employ staff, acquire adequate physical
office space, equipment, supplies, services, and all other
necessary items and may also expend the monies for other
purposes, including grants for allowable public purposes at
the discretion and direction of the legislative delegation.
The persons employed and expenditures of the funds by the
legislative delegation shall be in its discretion. Any funds
allocated but not spent at the end of the fiscal year shall
not be applied for any other purpose, but shall be carried
forward and shall remain available year to year for
expenditure. The revenue and expenditures of the legislative
office shall be audited on an annual basis."

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