



Weekly Update

*A weekly update from the
Association of County Commissions of Alabama*

This Week in the Alabama Legislature...March 5, 2010

The much-anticipated floor fight over legislation to legalize digital bingo in Alabama ended with little more than a whimper during a rare Wednesday Senate session. With supporters falling three votes short of the mandatory threshold to move legislation to the floor in the Senate, the bill was pushed back to the regular calendar, and the Senate turned to other business.

In the House, floor activity focused on non-controversial bills with the membership settling in to a pattern of considering some half-dozen bills each day. As both chambers return on Tuesday, it is unclear whether the gaming legislation will resurface or if other matters, such as the proposed constitutional amendment allowing the use of \$1 billion in Alabama Trust Fund revenue for road and bridge construction, will garner the Senate's attention.

At least two ACCA bills have been requested for the "special order" calendar in the Senate, while other House-passed ACCA bills are pending committee approval that would place the measures in position for final passage. Another ACCA bill could reach the House floor on Thursday. Below is an overview of legislative activities directly impacting county government.
County officials are encouraged to contact their legislators in support of the ACCA positions.

For more information, visit the Association's Web site at www.acca-online.org.

COMMITTEE VOTE SET ON ACCA BILL

On **Tuesday, March 9**, the Senate Governmental Affairs Committee is scheduled to act on the ACCA bill requiring the State Board of Adjustment to pay county claims unless the state agency denying the payment has procedures on timely filings. This bill, **HBI46 by Rep. Richard Laird**, was included as priority legislation after several counties were denied repayment of election expenses.

Please contact the members of the Governmental Affairs Committee BEFORE Tuesday to encourage their SUPPORT of HBI46: Chair Sen. Wendell Mitchell; Reps. Beason, Benefield, Coleman, Denton, Dixon, Dunn, Figures, Means, Penn, Preuitt, Ross, Smith, Z. Little and Waggoner.

COMMITTEE HEARING ON BILL TO BYPASS SUBDIVISION REGULATIONS

A bill allowing developers to enter into contracts to sell lots without securing approval of subdivision plats is scheduled for a vote in the Senate Judiciary Committee on **Wednesday, March 10**. **The Association strongly OPPOSES this bill, SB412 by Sen. Quinton Ross, which would bypass the current authority to impact the design of subdivision before lots are sold.**

County officials and engineers are encouraged to contact the members of the Judiciary Committee to encourage AMENDMENT of the legislation so that it will not impact county subdivision regulations. Chair Sen. Myron Penn; Sens. Bedford, Benefield, Brooks, Figures, Keahey, Ted Little, Marsh, Pittman, Sanders, Singleton, Smitherman, Z. Little and Orr.

OIL LEASE REVENUE FOR ROAD CONSTRUCTION

The Senate could be poised to again consider the constitutional amendment, **SB121 by Sen. Lowell Barron**, which would utilize \$1 billion in revenue from the Alabama Trust Fund to finance road and bridge construction projects. The bill failed earlier in the session, but Sen. Barron this week announced his intentions to bring it back to the floor as early as Tuesday.

County governments will receive 22.5 percent of the revenue for construction projects, but will lose interest revenue from the money withdrawn from the trust fund. The Association has sought commitments to replace this lost interest, but supporters of the legislation have opposed making county and city budgets “whole.” **County officials are encouraged to contact their Senators to seek their SUPPORT for restoring the lost interest revenue for county governments.**

LITTER BILL AGAIN READY FOR VOTE

Both the House and Senate version of the ACCA legislation that would allow litter laws to be enforced by license inspectors and/or solid waste officers are awaiting final passage. **House members should be encouraged to SUPPORT SBI95 by Sen. Ted Little, which could reach the floor of the House on Tuesday, and Senate members should be asked to vote IN FAVOR OF HB211 by Rep. Cam Ward.** *If passed, either bill would go to Gov. Bob Riley for his signature.*

AUTOPSY TRANSPORTATION LEGISLATION ALSO READY

Sen. Bobby Denton continues to push for floor consideration of his bill, **SB232**, which would resolve the dispute over the cost of transporting bodies for the purpose of conducting autopsy. After session-long negotiation between ACCA, coroners, district attorneys and the Department of Forensic Sciences, the legislation is ready for passage. **County officials are urged to contact their SENATORS in SUPPORT of this measure.**

The House version, **HB312 by Rep. Leslie Vance**, could reach the floor of the House as early as Thursday, as well.

CLEAN VERSION OF INTERNAL INVESTIGATION BILL PASSES

A House committee this week approved a clean version of the legislation that would establish requirements for internal investigations conducted by law enforcement agencies in Alabama. The committee-passed version of **HB86 by Rep. Spencer Collier** does not apply to the sheriff's department. ACCA has removed its opposition to this bill. **Appreciation is expressed to those who contacted members regarding this legislation as well as Rep. Collier who worked with the Association to resolve conflicts.**

COMMITTEE SKIPS BOAT TAG LEGISLATION

The dangerous legislation that would establish a tag for boat trailers and distribute the resulting revenue to rescue squads and other non-transportation functions, **HB337 by Rep. Joe Faust**, was skipped by a House committee this week. Although appearing on the agenda of the House Government Appropriations Committee, the bill was not discussed and is not expected to resurface.

9-1-1 DIRECTORS RESPOND TO DANGEROUS LEGISLATION

9-1-1 directors and county officials from across Alabama acted quickly to express their opposition to legislation that would have greatly reduced the audit powers of the statewide board that collects the state tax on wireless telephone service. This revenue, which provides a large portion of the budget of 9-1-1 districts statewide, would almost-certainly shrink without a strong board to enforce collection.

The sponsor of the legislation, **Rep. Craig Ford**, has expressed his sensitivity to the concerns of the 9-1-1 districts and agreed to hold the legislation in committee. **Appreciation is expressed to those many officials and county employees who made calls and other contacts in opposition to this measure.**

CHECK IT OUT ONLINE...

The real-time status of all ACCA, Danger and local bills can be found by going to acca-online.org and following the steps under **Legislative News**. Please make copies of this report for all county officials and employees. Remember, ACCA staff frequently updates the Association's Web site — acca-online.org — with the latest information on the activities in Montgomery.