



Weekly Update

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

This Week in the Alabama Legislature...March 12, 2010

With its traditional spring in the air, Senate Democrats introduced a so-called “tax relief” package on Thursday, which included a bill reducing county tax revenue by some \$11.6 million per year for the next two years. Sponsored by **Rep. Zeb Little**, the legislation would eliminate the statewide deed and mortgage recording fee and tax through Jan. 1, 2012.

County officials reacted quickly in **OPPOSITION** to the bill, with many making contacts with their Senators even before the bill was actually introduced Thursday morning. The legislation is co-sponsored by 17 of the 18 Democrats in the State Senate. Only Sen. Kim Benefield, who has missed much of the last month caring for her husband who was injured in an automobile accident, did not place her signature in support of the legislation.

This week was a busy one for legislation involving Alabama counties. The Association-sponsored legislation enhancing the enforcement of Alabama’s litter laws was **PASSED** by the House and has been sent to Gov. Bob Riley for his signature, and the Senate approved the \$1 billion road-and-bridge program funded by revenue from the Alabama Trust Fund.

After adjourning around 12 noon on Thursday, both chambers will be in recess next week and will not return until Tuesday, March 23. **County officials are urged to use this time to make contacts with their legislators in order to ensure a successful legislative session for Alabama counties.**

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

17 SENATORS SIGN BILL TO ELIMINATE COUNTY REVENUE

Legislation granting the temporary elimination of the state’s taxes and fees on the recording of deeds and mortgages, **SB540 by Sen. Zeb Little**, was introduced on Thursday. During the 2008-09 fiscal year the taxes and fees generated some \$35 million, with counties receiving approximately \$11.5 million, which would be eliminated if the bill becomes law.

Because the bill is co-sponsored by 17 members of the Senate, it is important that county officials voice their opposition to this legislation during the recess week. ACCA staff anticipates the legislation will be considered in committee as early as March 23. The bill was assigned to the Finance and Taxation General Fund Committee. **It is important that all legislators be encouraged to OPPOSE this legislation, not just the committee members.**

Senate Finance and Taxation General Fund Committee: Chair Sen. Roger Bedford; Sens. Butler, Singleton, Barron, Benefield, Dunn, French, Glover, Keahey, Mitchem, Orr, Penn, Pittman, Preuitt, Sanders and Beason.

SECOND BILL COULD IMPACT SALES TAX

A second bill in the tax relief package, **SB536 by Sen. Roger Bedford**, could also impact local revenue by lifting the state sales tax on the purchase of new automobiles manufactured in Alabama. Because state law requires county sales taxes to mirror the rules and exemptions on state sales taxes, this legislation will likely also result in the elimination of local sales taxes on automobile sales.

This bill has been assigned to the **Finance and Taxation Education Fund Committee: Chair Sen. Hank Sanders; Sens. Poole, Denton, Ross, Bedford, Butler, Coleman, Dixon, Figures, Holley, T. Little, Marsh, Means, Smith, Smitherman, Z. Little and Waggoner.**

ROAD CONSTRUCTION BILL CLEARS SENATE

After failing in each of the last three sessions, including falling one vote short earlier this year, the proposed constitutional amendment utilizing \$1 billion in revenue from the Alabama Trust Fund for road construction, **SB121 by Sen. Lowell Barron**, was approved by the State Senate. The bill passed after changes that earmarked the “state” portion of the revenue for state projects in each county.

The bill also allocates some \$22.5 million annually for 10 years to be spent on county roads and bridges. However, it does not fully fund a “make whole” provision to ensure counties do not lose investment revenue from the withdrawal of the \$1 billion. The bill must now be considered in the House, but has not yet been assigned to a House standing committee.

HOUSE GIVES LITTER BILL FINAL OK

On Thursday the House gave final approval to the ACCA legislation that would allow litter laws to be enforced by license inspectors and/or solid waste officers, **SB195 by Ted Little**. The bill will now go to Gov. Bob Riley for his signature. *Special appreciation is expressed to Sen. Little and the House sponsor, Rep. Cam Ward, who handled the measure on the House floor Thursday.* The bill would become effective on June 1, 2010.

SENATE APPROVES AUTOPSY TRANSPORTATION BILL

On Tuesday, the Alabama Senate approved the legislation, **SB232 by Sen. Bobby Denton**, aimed at resolving the dispute over the cost of transporting bodies for the purpose of conducting autopsy. The bill was assigned to the **House Government Appropriations Committee. County officials are encouraged to contact the committee members to seek their SUPPORT of SB232.**

House Government Appropriations Committee: Chair Rep. John Knight; Reps. Page, Gaston, Allen, Baker, Beasley, Canfield, Grantland, Hall, Letson, Love, C. Newton, Salaam, Sherer and E. Thomas.

BOARD OF ADJUSTMENT LEGISLATION READY FOR FLOOR ACTION

Also on Tuesday, the Senate Governmental Affairs Committee approved 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, **HB146 by Rep. Richard Laird**, is now ready for final passage on the Senate floor as early as March 23. *County officials are asked to contact their Senators in SUPPORT of this legislation.*

COMMITTEE PROTECTS SUBDIVISION REGULATIONS

Both House and Senate Committees this week exempted counties from legislation, **HB556 by Rep. Chris England** and **SB412 by Sen. Quinton Ross**, which would have allowed developers to enter into contracts to sell lots without securing approval of subdivision plats. ACCA opposed the legislation because its passage would render the much-needed subdivision regulatory powers of county government useless.

COUNTY DAY @ THE LEGISLATURE NEARS

County officials and employees are encouraged to register for **County Day at the Legislature – March 31 and April 1**. This two-day event provides the Association and county officials with an organized opportunity to seek legislative action in support of county government. For registration information, log on to www.acca-online.org, or contact the ACCA office at (334) 263-7594.

The last day for early registration is Wednesday, March 17. And, remember: **ALL COUNTIES SHOULD BE REPRESENTED AT THIS MOST IMPORTANT EVENT!**

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.