



ALABAMA LEGISLATIVE READING & RESEARCH SERVICE, LLC

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Senate Second Readings - 23rd Legislative Day 2003 Regular Session – June 9, 2003

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By Representative Johnson:

HB110 To amend Section 41-4-302 of the Code of Alabama 1975, to provide for certain elected county officials and their employees who are required to be bonded to be covered under the state blanket bond under certain conditions.

Finance and Taxation General Fund

Number of amendments: 0

FISCAL NOTE

House Bill 110 as passed the House of Representatives would allow certain elected county officials and their employees who are required to be bonded to be covered under the state blanket bond if the Governor determines that extending the blanket bond will be in the best interest of the state. This bill could decrease bonding obligations of the counties by an undetermined amount dependent upon the difference between the amount counties currently pay and the state amount charged for bonding. In addition, the increased exposure resulting from bonding the county elected officials could increase the premiums paid by the state under the state blanket bond.

Hinton Mitchem, Chairperson
Finance and Taxation General Fund

By Representatives Morrison and McMillan:

HB188 To amend Sections 41-9-251, 41-9-252, and 41-9-253, Code of Alabama 1975, relating to the Cahaba Advisory Committee, to provide for the selection of the chair and other officers; to provide for a minimum per diem and for travel expenses for attending official meetings and performing service for the committee; to provide for employee benefits; to make technical and spelling changes; and to provide additional powers to the committee, including making appropriations and expending funds, making grants, contracting with others for preservation, and acquiring and disposing of properties relating to the Old Cahawba Capital Site.

Agriculture, Conservation, and Forestry

Number of amendments: 0

FISCAL NOTE

House Bill 188 as passed the House of Representatives authorizes an additional \$150 per diem allowance per member and could increase the obligations of the Cahawba Advisory Committee, paid from State General Fund appropriations and other sources, by an estimated minimum of \$4,500 for the fiscal year ending September 30, 2003 and by an estimated minimum of \$9,600 each fiscal year thereafter to pay the additional per diem meeting expenses of Committee members plus mileage. The bill will also increase the obligations of the Committee by an undetermined amount, to pay expenses of 1 member as approved by the chair, for official duties performed at other times and also for providing additional compensation to the secretary-treasurer, as approved by the Committee, for clerical expenses. The bill provides additional powers to the Committee, including: (1) appropriating and expending funds, making grants, and cooperating financially with the Alabama Historical Commission and other entities; (2) acquiring title to and taking possession of properties and objects; (3) having the option to provide employment protection to Committee employees; and (4) leasing, selling and disposing of surplus or unused properties. This bill could reduce the ad valorem tax receipts to the state and local governments if currently taxable property is acquired by the Committee and is taken off the tax rolls.

Zeb Little, Chairperson

By Senator Lindsey:

SB369 To amend Section 5-18-15, Code of Alabama 1975, relating to the Alabama Small Loan Act, to provide in connection with loans for a loan charge on loans made by licensees under the act as an alternative to interest and for certain handling charges in connection with the loans.

Economic Expansion and Trade

Number of amendments: 0

FISCAL NOTE

Senate Bill 369 as introduced will not affect state or local funding.

W. H. "Pat" Lindsey, Chairperson
Economic Expansion and Trade

By Representative Hinshaw:

HB503 To amend Section 17-22A-12, Code of Alabama 1975, relating to paid political advertising, to provide that paid political advertisement made by or paid for by an organization or entity, other than a principal campaign committee, shall disclose the names of the source of the funding of the organization or entity. Economic Expansion and Trade

Number of amendments: 0

FISCAL NOTE

House Bill 503 as passed the House of Representatives will not directly affect state or local funding.

W. H. "Pat" Lindsey, Chairperson
Economic Expansion and Trade

By Senator Mitchem:

SB33 To amend Section 36-21-13, Code of Alabama 1975, relating to compensation paid to state police officers utilized by certain state departments or agencies for injuries in the line of duty, to provide for a retroactive effect.

Judiciary

Number of amendments: 0

FISCAL NOTE

Senate Bill 33 as introduced makes the provisions which require state agencies that utilize fulltime state law enforcement officers (including correctional officers of the Department of Corrections and excluding the State Board of Medical Examiners) to continue to pay an officer injured in the line of duty at his or her normal salary and benefits instead of two-thirds of the normal salary provided to other injured state employees and paid by the State Employee Injury Compensation Trust Fund retroactive to December 28, 1999 rather than the current effective date of May 23, 2000. For persons who become eligible under this retroactive period, this bill would result in a decrease in compensation benefits expenditures from the State Employee Injury Compensation Trust Fund and will increase personnel costs paid by employer agencies of injured officers by an amount dependent upon the number of injured officers, their salaries and length of time out of work.

Rodger Smitherman, Chairperson
Judiciary

By Senator Penn:

SB393 To establish the Alabama Nursing Home Residents' Bill of Rights; to define elder abuse and elder fraud; to provide exclusive civil remedies for elder abuse superseding any existing statutory law; to provide certain reporting requirements in the event of death of a resident; to provide certain staffing hours and minimum ratios for staff and nurses to residents in nursing homes; to require criminal background checks on nurses, staff, and volunteers in direct care positions in a nursing home; to require the disclosure of information relating to persons involved in the licensing and operation of a nursing home and requiring that the information be made available to the public; and to authorize the Department of Public Health to promulgate rules and

regulations to implement, administer, and enforce this act.

Judiciary

Number of amendments: 0

FISCAL NOTE

Senate Bill 393 as introduced will increase the obligations of the Alabama Department of Public Health (ADPH) by an undetermined but substantial amount to perform additional nursing home inspections and surveys as provided for in the bill.

Rodger Smitherman, Chairperson
Judiciary

By Senator Roberts:

SB315 To amend Section 11-45-9 of the Code of Alabama 1975, providing for the penalties for violations of municipal ordinances; to further provide that the fines for driving under the influence (DUI), reckless driving, and operating a vessel under the influence provided in municipal court may be the same as the fines provided by state law.

Judiciary

Number of amendments: 0

FISCAL NOTE

Senate Bill 315 as introduced would decrease the current maximum fine of \$5,000 upon first convictions for DUI municipal ordinance violations to maximum fines of \$2,100, which could result in decreased receipts to the State General Fund and certain municipal general funds. This bill would increase the current maximum fine of \$5,000 upon second or third or subsequent convictions for DUI municipal ordinance violations to maximum fines of \$5,100 for second convictions and \$10,100 for third or subsequent convictions, which could result in increased receipts to the State General Fund and certain municipal general funds. The overall impact to the State General Fund will be dependent upon several unknown factors, such as the number of violations and whether the conviction is a first or subsequent conviction, and the amount of the current fines. This bill also increases the current maximum fine upon conviction of violating municipal ordinances prohibiting operation of a vessel or other marine device while under the influence, from the current maximum of \$500 to maximum fines of \$2,100 for first convictions, \$5,100 for second convictions and \$10,100 for third or subsequent convictions. However, it is not anticipated that this will significantly increase receipts to the State Water Safety Fund or any other state or local funds.

Rodger Smitherman, Chairperson
Judiciary

By Representative Johnson:

HB148 To amend Section 13A-1-2 of the Code of Alabama 1975, to define the term "anhydrous ammonia"; to amend Section 13A-12-219 of the Code of Alabama 1975, to further define the crime of unlawful possession of anhydrous ammonia; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901.

Judiciary

Number of amendments: 0

FISCAL NOTE

House Bill 148 as passed the House of Representatives could increase receipts to the State General Fund from fines upon conviction of unlawful possession of anhydrous ammonia as further defined by this bill and could also increase the obligations of the Board of Pardons and Paroles and the Department of Corrections by an amount dependent upon the number of convictions for those offenses.

Rodger Smitherman, Chairperson
Judiciary

By Representative Black (M):

HB196 To amend Section 27-1-17, Code of Alabama 1975, relating to the payment of claims, to prohibit insurers, health service corporations, and health benefit plans from requiring refunds of paid claims after 12 months from the date the health care claim was paid or after the expiration of the same period of time that the health care provider is required to submit claims pursuant to a contract between the health care provider and the insurer, health service corporation, or health benefit plan, whichever date occurs first.

Health

Number of amendments: 0

FISCAL NOTE

House Bill 196 as passed the House of Representatives will not affect state or local funding.

Larry Means, Chairperson
Health

By Representatives Johnson, Beason, Clouse, Oden, Dukes, Hurst, Major, Grantland, Robinson (J), Thigpen, Letson, Brewbaker, Starkey, Martin, Vance, Robinson (O), Spicer, Collier, Hill and Thomas (J):

HB218 To amend Section 6-5-549.1, Code of Alabama 1975, relating to the Alabama Medical Liability Act of 1996, to include podiatrists within the definition of health care provider and podiatric corporations and associations within the definition of professional corporation in the act.

Health

Number of amendments: 0

FISCAL NOTE

House Bill 218 as passed the House of Representatives includes podiatrists and podiatric corporations and associations under the Alabama Medical Liability Act of 1996. This bill will not affect state or local funding.

Larry Means, Chairperson
Health

By Representative Ford (J) (Constitutional Amendment):

HB660 Proposing an amendment to the Constitution of Alabama of 1901, relating to legalizing certain operations of bingo games for prizes or money for charitable or educational purposes in Macon County. Tourism and Marketing

Number of amendments: 0

FISCAL NOTE

House Bill 660 as passed the House of Representatives proposes a local constitutional amendment for Macon County which, if ratified would allow the operation of bingo games by non profit organizations for charitable, educational, or other lawful purposes. This bill will increase the proclamation expenses of the Governor, paid from the State General Fund, by an estimated \$600 for the fiscal year ending September 30, 2005.

Myron C. Penn, Chairperson
Tourism and Marketing

By Representatives Rogers, Payne and Robinson (O) (With Notice and Proof) (With Amendment):

HB163 Relating to Jefferson County; to reopen the General Retirement System for Employees of Jefferson County as

established by Act 497, approved August 20, 1965, as amended, to allow certain employees of Jefferson County, including, but not limited to, employees of all county departments and deputy sheriffs who are currently not participating in the system to join or rejoin the system and to receive credit in the system under certain terms and conditions for prior service rendered to the county or any municipality in the county or other jurisdictions; to allow certain active and contributing members who rejoined the system under certain local acts an opportunity to receive prior service credit in the system and convert unpaid service to paid service under certain terms and conditions; to allow other active and participating members to convert unpaid service to paid service; to provide for payment of the costs of purchasing prior service credit in the system; and to provide for a termination date of the reopening period.

Local Legislation No. 2
Number of amendments: 1

FISCAL NOTE

House Bill 163 as introduced and as amended and reported by the Committee on Local Legislation could increase the employer contribution paid by Jefferson County for employees in the General Retirement System of the county by an actuarially determined .90% of total active member payroll, or the equivalent of \$1.28 million annually over a 20-year amortization period, if all members convert allowable unpaid service as allowed in this bill. This amount does not include additional matching funds and interest the county would also be required to pay.

Jack Biddle, III, Chairperson
Local Legislation No. 2

By Representatives Spicer, Beck and Hurst:

HB254 To amend Sections 3, 5, 8, and 12 of Act 2002-527, HB478, 2002 Regular Session, now appearing as Sections 34-25A-3, 34-25A-5, 34-25A-8, and 34-25A-12, Code of Alabama 1975, relating to the regulation of persons administrating prosthetic and orthotic care, to clarify certain defined terms under the Prosthetics and Orthotics Act, to provide further for the appointment of the members of the Alabama State Board of Prosthetists and Orthotists, and clarify fees for accreditation of facilities and licensing.

Health
Number of amendments: 0

FISCAL NOTE

House Bill 254 as passed the House of Representatives provides that the State Board of Prosthetics and Orthotists shall promulgate rules and regulations concerning accreditation fees, provides for the licensing of orthotist and prosthetist assistants and further provides for the maximum fees to be collected for each accreditation facility. All fees collected by the Board will be deposited in the Alabama State Board of Prosthetics and Orthotics Fund.

Larry Means, Chairperson
Health

By Senator Smitherman (With Notice and Proof):

SB409 Relating to the City of Birmingham; to amend Act 2001-224, 2001 Regular Session (Acts 2001, p. 261), the Lewis Spratt Act, to provide that the selection and terms of the chair and vice chair of the Birmingham City Board of Education be governed by local school board policy.

Local Legislation No. 2
Number of amendments: 0

FISCAL NOTE

Senate Bill 409 as introduced will not directly affect state or local funding.

Jack Biddle, III, Chairperson
Local Legislation No. 2

By Representatives Payne, Robinson (O) and Morton (With Notice and Proof):

HB273 To alter, rearrange, and extend the boundary lines and corporate limits of the City of Center Point in Jefferson County.

Local Legislation No. 2
Number of amendments: 0

FISCAL NOTE

House Bill 273 as passed the House of Representatives could increase the obligations of the City of Center Point by an undetermined amount for providing services in the areas annexed pursuant to this bill. However, these obligations should be offset by additional tax revenues generated from the area.

Jack Biddle, III, Chairperson
Local Legislation No. 2

By Senator Ross:

SB357 To amend Section 36-26-35, Code of Alabama 1975, relating to accumulation of annual leave by state employees, to allow an employee to carry 80 hours over the maximum limit under certain circumstances involving the demands of the job.

Governmental Affairs
Number of amendments: 0

FISCAL NOTE

Senate Bill 357 as introduced could increase termination costs paid to state employees for up to 80 hours (10 days) by an amount dependent upon the number of employees who choose to accrue the additional days and the usage of those days. The cost to the several state agencies of an additional 10 days termination pay currently averages \$1,450 per employee.

Phil Poole, Chairperson
Governmental Affairs

By Senators Ross and French:

SB504 To create the Governor's Mansion Authority to preserve, operate, and maintain the Alabama Governor's Mansion; to provide for the appointment of the members of the authority; to provide for the duties and responsibilities of the authority; to provide for the funding and employees of the authority; and to repeal Sections 41-9-530 through 41-9-532, inclusive, Code of Alabama 1975, which relates to the Governor's Mansion Advisory Board.

Governmental Affairs
Number of amendments: 0

FISCAL NOTE

Senate Bill 504 as introduced repeals the Governor's Mansion Advisory Board and establishes the Governor's Mansion Authority (GMA), whose purpose is to preserve and maintain the Governor's Mansion Complex. A tax exempt state agency, the GMA shall be governed by 15 non-compensated board members and is authorized to 1) receive any and all types of contributions, including state appropriations, 2) expend any funds that it may receive, 3) employ employees as are necessary, and 4) establish and promulgate rules concerning the Complex.

Phil Poole, Chairperson
Governmental Affairs

By Representative Dukes:

HB141 Relating to municipal planning and zoning; to amend Section 11-52-3 of the Code of Alabama 1975, to further provide that the mayor of a municipality, except a Class 1 municipality, may appoint two supernumerary members to serve on the municipal planning commission to serve at the call of the chair of the commission in the absence of regular members.

Governmental Affairs
Number of amendments: 0

FISCAL NOTE

By Senator Byrne (Constitutional Amendment):

SB321 Proposing an amendment to Amendment 429 to the Constitution of Alabama of 1901, to authorize Baldwin County and certain governmental entities within the county to have certain powers for the promotion of economic and industrial development in Baldwin County and the municipalities therein.

Local Legislation No. 1
Number of amendments: 0

By Senator Mitchell (With Notice and Proof):

SB489 To alter, rearrange, and extend the boundary lines and corporate limits of the City of Luverne in Crenshaw County.

Local Legislation No. 1
Number of amendments: 0

By Senator Barron (With Notice and Proof):

SB492 To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Stevenson in Jackson County.

Local Legislation No. 1
Number of amendments: 0

By Senator Barron (With Notice and Proof):

SB495 Relating to DeKalb County; providing for the county commission to reimburse the office of tax collector and the judge of probate for certain monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that the funds shall be payable from the general fund of the county.

Local Legislation No. 1
Number of amendments: 0

By Senator Mitchem (Constitutional Amendment):

SB499 Relating to Marshall County; proposing a constitutional amendment to require the County Commission of Marshall County to levy an additional ad valorem tax in the amount of three mills on each dollar of taxable property located outside the corporate limits of municipalities to be used for fire protection and emergency services in Marshall County.

Local Legislation No. 1
Number of amendments: 0

By Senator Byrne (With Notice and Proof):

SB502 Relating to Baldwin County; to provide for the sale of alcoholic beverages by certain licensees on Sunday for off-premises consumption; and to provide for referendums as provided in this act.

Local Legislation No. 1
Number of amendments: 0

By Representative Holmes (With Notice and Proof) (With Substitute):

HB209 Relating to the City of Montgomery, to rename Jackson Street as Martin Luther King, Jr. Avenue in honor of his distinguished service to the Civil Rights Movement.

Local Legislation No. 1

Number of amendments: 0

By Representatives Galliher, McClendon, Wood and Morton (With Notice and Proof):

HB316 To authorize the St. Clair County Commission to provide for supplemental compensation for the local election workers and officials needed for county elections.

Local Legislation No. 1
Number of amendments: 0

By Representatives Sherer and Guin (Constitutional Amendment):

HB457 Relating to Walker County; to propose an amendment to the Constitution of Alabama of 1901, to create the Corridor X Parkway Authority located in Walker County; to provide for the composition, jurisdiction, and power of the authority; and to allow the authority to exercise a zoning authority outside the state's right-of-way within one mile of any interchange on a limited access highway and within one-half mile of the state's right-of-way along any limited access highway passing through Walker County.

Local Legislation No. 1
Number of amendments: 0

By Representative Martin (With Notice and Proof):

HB461 Relating to Chilton County; to decrease the membership of the board of education from seven to five members; to provide for the election of the members of the board from the county at-large by place number; and to provide for staggered terms of office.

Local Legislation No. 1
Number of amendments: 0

By Representative Martin (With Notice and Proof):

HB462 Relating to Chilton County; to provide for the composition and election of the Chilton County Commission.

Local Legislation No. 1
Number of amendments: 0

By Representatives Hinshaw, Hall (A), Ball, Sanderford, Schmitz and Hall (L) (With Notice and Proof):

HB466 Relating to Madison County; providing for the distribution of certain proceeds from the beer tax to fund the Senior Citizens' Prescription Drug Program in the county.

Local Legislation No. 1
Number of amendments: 0

By Representatives Hinshaw, Garner, Ball, Schmitz and Hall (L) (With Notice and Proof):

HB467 Relating to Madison County; to provide further for the sale of alcoholic beverages on Sunday upon the approval of the county commission or the governing bodies of the municipalities within the county.

Local Legislation No. 1
Number of amendments: 0

By Representatives Hall (A), Hinshaw, Ball, Garner, Sanderford, Schmitz and Hall (L) (With Notice and Proof):

HB479 Relating to Madison County; to further provide for the name of the Madison County Work Release and Pre-Trial Release Commission and the Madison County Work Release and Pre-Trial Release Fund.

Local Legislation No. 1
Number of amendments: 0

By Representative Hill (Constitutional Amendment):

HB506 To propose an amendment to the Constitution of Alabama of 1901, relating to Shelby County; to authorize the Legislature by local law to provide for the enforcement of traffic laws.

Local Legislation No. 1
Number of amendments: 0

By Representative Allen (Constitutional Amendment):

HB514 Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected public officials in Tuscaloosa County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

Local Legislation No. 1
Number of amendments: 0

By Representative Hill (With Notice and Proof):

HB549 Relating to Shelby County; to provide an expense allowance for the circuit clerk; and to repeal Act 91-526, 1991 Regular Session (Acts 1991, p. 930), providing an expense allowance to the circuit clerk.

Local Legislation No. 1
Number of amendments: 0

By Representatives McMillan, Davis and Albritton (With Notice and Proof):

HB562 Relating to Baldwin County, Alabama, and the Town of Loxley, Alabama; to alter, rearrange, and extend the boundary lines and corporate limits of the Town of Loxley in Baldwin County, Alabama, by annexing certain territory to the city, to make certain findings in regard to the public necessity for the annexation, to provide that the existence of other municipalities' police jurisdiction limits shall not affect the validity of the annexation, to provide that the Town of Loxley shall exercise full municipal authority over the annexed territory, and to provide for a referendum.

Local Legislation No. 1
Number of amendments: 0

By Representative Letson (With Notice and Proof):

HB578 Relating to Lawrence County; providing for the levy of an additional recording fee upon documents filed for record with the judge of probate.

Local Legislation No. 1
Number of amendments: 0

By Representatives Hill and Ward (With Notice and Proof):

HB582 Relating to Shelby County; providing for additional court costs in domestic relations cases which are filed in the county; to create a fund to be designated as the "Family Court Fund"; and to authorize expenditures of money from the fund.

Local Legislation No. 1
Number of amendments: 0

By Representatives Gipson, Venable and Brewbaker (With Notice and Proof):

HB583 Relating to the City of Prattville in Autauga and Elmore Counties; increasing the sales and use tax rate in those portions of the City of Prattville located in Elmore County and providing for the collection and distribution of the proceeds of the tax.

Local Legislation No. 1
Number of amendments: 0

By Representative Hill (Constitutional Amendment) (With Notice and Proof):

HB585 Proposing an amendment to the Constitution of Alabama of 1901, to allow the Judge of Probate of Shelby County to exercise equity jurisdiction concurrent with that of the circuit court in cases originally filed in the Probate Court of Shelby County if the judge of probate is licensed to practice law in the State of Alabama.

Local Legislation No. 1

Number of amendments: 0

By Representative Jackson (With Notice and Proof):

HB596 Relating to Choctaw County; amending Act 2001-913, 2001 Third Special Session, (Acts 2001, p. 767), which levies a tax on tobacco products in the county, to clarify the tax imposed on packages of little cigars.

Local Legislation No. 1

Number of amendments: 0

By Representative Allen (With Notice and Proof):

HB655 To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Coaling in Tuscaloosa County; and to further provide for the police jurisdiction of the municipality.

Local Legislation No. 1

Number of amendments: 0

By Representative Allen (With Notice and Proof):

HB656 To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Vance in Tuscaloosa County; and to further provide for the police jurisdiction of the municipality.

Local Legislation No. 1

Number of amendments: 0