THE ALABAMA DRYCLEANING
ENVIRONMENTAL RESPONSE TRUST FUND BOARD
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MINUTES
Board Meeting – Special/Called
Thursday, January 9, 2020

The special/called meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board met on Thursday, January 9, 2020 at 10:00 a.m. at the Board Office located at 2777 Zelda Road, Montgomery, Alabama, to discuss proposed legislative changes to the Board's statute. The meeting was called to order at 10:15 a.m., when a quorum was present. Board members in attendance were as follows: Mr. Jason Windham (Chair), Mr. Steve McKinnon (Vice Chair), Mr. Jim Massey, III (member) and Mr. Cary Spiegel (member). Board members absent were Mr. Thomas Bass, Mr. Quincey Banks and Mr. Steve Taylor. Also in attendance were Mr. Keith Warren (Administrator), Mr. Robert Tambling (Board Counsel), Mrs. Ashley Cousins (Board Engineer), Mr. Mike Weeks (Legislative Affairs) and Ms. Renee' Reames (recording secretary). Also present were guests from the Department of Revenue.

Public notice of this special/called meeting was published on the Secretary of State's web site, www.sos.alabama.gov, in accordance with the Alabama Open Meetings Act and advertised on the Board's web site at www.drycleaningtrustboard.alabama.gov.

Chairman Windham reported that changes to the Board's statute had been discussed that included requiring participation into the Fund by all drycleaner owners and operators, wholesale distributors based on the effects on the environment. The Board also discussed the environmental clean-up due to lack of earlier regulations concerning disposal and accidental release of containments, etc.

Chairman Windham introduced Ms. Kelley Gillikin and Mr. Craig Banks with the Alabama Department of Revenue. Ms. Gillikin discussed the differences between collecting a fee vs. a tax. She indicated that the Revenue Department was not taking a position on the proposed legislation, but offered clarification about its enforcement should it become law. Mr. Banks and Ms. Gillikin also commented on the taxpayer's Bill of Rights and suggested language be added to the proposed legislation.

The Board discussed preparations for the proposed bill to be presented to the Legislature, along with potential sponsors of the bill.

Mr. McKinnon made the motion to adopt a resolution authorizing the Department of Revenue to proceed with enforcement and collection efforts with the Board's proposed legislation that makes participation in the DERTF mandatory for all drycleaner owners and operators and

wholesale distributors. The motion was seconded by Mr. Massey and unanimously approved by the Board.

The Board discussed scheduling a special/called meeting to review the modifications to the proposed legislation regarding enforcement and collection of funds, etc. and identified February 3, 2020 as the next meeting date.

Chairman Windham reminded the members that the next regular meeting of the Board was scheduled February 27, 2019 and this date would be discussed at the called/special meeting.

There was no further business before the Board and Mr. Massey made the motion to adjourn the meeting. The motion was seconded by Mr. McKinnon and unanimously approved by the Board. Chairman Windham adjourned the meeting at 11:23 a.m.

Respectfully Submitted,

Jason Windham
Chair

Keith E. Warren
Administrator

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