

ACT No. 2006- 282

1 HB272

2 81724-4

3 By Representative Lindsey

4 RFD: Education Finance and Appropriations

5 First Read: 10-JAN-06



1  
2 ENROLLED, An Act,

3 To make appropriations for the support, maintenance  
4 and development of public education in Alabama, for debt  
5 service, and for capital outlay for the fiscal year ending  
6 September 30, 2007.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. There is hereby appropriated for the  
9 support of public education in Alabama for the fiscal year  
10 ending September 30, 2007, for debt service, and for capital  
11 outlay to be paid out of funds specified in subsection (a) of  
12 Section 2 of this act, the amounts specified in subsections  
13 (a), (b), (c), and (d) of Section 3 of this act. For the  
14 purpose specified in subsection (b) of Section 2 of this act,  
15 amounts are shown by programmatic area and the total for all  
16 programs is shown so as to include estimated sources of funds  
17 other than those listed in subsection (a) of Section 2 of this  
18 act. For the purpose of this act, "ETF" shall mean the  
19 Education Trust Fund and "Federal and Local Funds" shall mean  
20 all gifts, grants, contributions, or entitlements, including  
21 grants by the Congress of the United States, municipalities or  
22 counties.

23 Section 2. (a) The appropriations provided for in  
24 this act shall be paid from funds in the State Treasury to the  
25 credit of the Education Trust Fund, Alabama Peace Officers'

1 Standards and Training Fund, Impaired Drivers Trust Fund,  
2 Alabama Veterans Assistance Fund, and Public School Fund and  
3 are hereby made for the support of public education in Alabama  
4 for the fiscal year ending September 30, 2007, and the  
5 appropriations herein made shall be subject to the provisions,  
6 terms, conditions and limitations of the Budget and Financial  
7 Control Act (Code of Alabama 1975, Sections 41-4-80 et seq.),  
8 the provisions of the Budget Management Act of 1976 (Code of  
9 Alabama 1975, Sections 41-19-1 et seq.), and shall be in the  
10 amounts hereinafter specified.

11 (b) Amounts shown hereinunder the columns "Earmarked  
12 Funds" and "Appropriation Total" are as set forth for the  
13 purpose of establishing amounts estimated to be available by  
14 programmatic area from sources other than those listed in  
15 subsection (a) of this Section 2, in order, upon consideration  
16 of such other funds so estimated to be available, to promote  
17 the accountability for an efficient use of funds available,  
18 and the same are hereby appropriated by the Legislature.  
19 Provided, however, that regardless of the ending date of any  
20 pay period which has been or may be established by the  
21 Legislature for the payment of salaries of state employees,  
22 the entire payment due shall be made from the fiscal year's  
23 appropriation in which the pay date falls.

24 Section 3.

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1			
2	<b>3A. Legislative Branch:</b>		
3	<b>1. Community Services Grants,</b>		
4	<b>Joint Legislative Oversight</b>		
5	<b>Committee on:</b>		
6	(a) Community Services Grants		
7	Program .....	13,800,000	13,800,000
8	Distributed pursuant to Sec-		
9	tion 29-2-123 of the Code of		
10	Alabama 1975.		
11	SOURCE OF FUNDS:		
12	(1) ETF .....	13,800,000	
13	Total Community Services		
14	Grants, Joint Legislative		
15	Oversight Committee on .....	13,800,000	13,800,000
16	The above appropriation shall		
17	be used for grants that pro-		
18	mote public education pur-		
19	poses.		
20	<b>2. Examiners of Public Ac-</b>		
21	<b>counts:</b>		
22	(a) Educational Audit Services		
23	Program .....	6,552,892	6,552,892
24	SOURCE OF FUNDS:		
25	(1) ETF .....	6,552,892	
26	Total Examiners of Public Ac-		
27	counts .....	6,552,892	6,552,892
28	The Department of Examiners of		
29	Public Accounts is hereby au-		
30	thorized to examine as deemed		
31	necessary all appropriations		
32	herein made for compliance		
33	with the laws of the State of		
34	Alabama. Any examination per-		
35	formed shall be in accordance		
36	with the provisions of Title		
37	41, Chapter 5, Code of Alabama		
38	1975.		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1        3. <b>Law Institute, Alabama:</b>			
2            (a) Support of Other Educa-			
3                tional Activities Program .	206,899		206,899
4        SOURCE OF FUNDS:			
5            (1) ETF .....	206,899		
6        Total Law Institute, Alabama	206,899		206,899
7        4. <b>Legislative Fiscal Office:</b>			
8            (a) Legislative Operations and			
9                Support Program .....	270,787		270,787
10       SOURCE OF FUNDS:			
11            (1) ETF .....	270,787		
12        Total Legislative Fiscal Of-			
13                fice .....	270,787		270,787
14       5. <b>Legislative Reference Ser-</b>			
15                vice:			
16            (a) Legislative Operations and			
17                Support Program .....	103,160		103,160
18       SOURCE OF FUNDS:			
19            (1) ETF .....	103,160		
20        Total Legislative Reference			
21                Service .....	103,160		103,160
22        This appropriation to the Leg-			
23                islative Reference Service			
24                shall be expended for the re-			
25                vision of Title 16 of the Code			
26                of Alabama 1975.			
27       3B. <b>Executive Branch:</b>			
28        1. <b>American Legion and Auxil-</b>			
29                iary Scholarships:			
30            (a) American Legion and Auxil-			
31                iary Scholarships, Estimated			
32                .....	112,500		112,500

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Financial Assistance Program,			
2	to be expended under the pro-			
3	visions of Code of Alabama			
4	1975, Sections 16-31-1 through			
5	16-31-4.			
6	SOURCE OF FUNDS:			
7	(1) ETF .....	112,500		
8	Total American Legion and Aux-			
9	iliary Scholarships .....	112,500		112,500
10	<b>2. Archives and History, De-</b>			
11	<b>partment of:</b>			
12	(a) Historical Education Man-			
13	agement Program .....	3,214,072		3,214,072
14	SOURCE OF FUNDS:			
15	(1) ETF .....	3,214,072		
16	Total Archives and History,			
17	Department of .....	3,214,072		3,214,072
18	<b>3. Arts, State Council on the:</b>			
19	(a) Fine Arts Program .....	4,878,778	673,000	5,551,778
20	SOURCE OF FUNDS:			
21	(1) ETF .....	4,878,778		
22	(2) Federal and Local Funds ..		673,000	
23	Total Arts, State Council on			
24	the .....	4,878,778	673,000	5,551,778
25	<b>4. Building Commission, State:</b>			
26	(a) Special Services Program	615,625		615,625
27	SOURCE OF FUNDS:			
28	(1) ETF-Transfer .....	615,625		
29	Total Building Commission,			
30	State .....	615,625		615,625
31	<b>5. Child Abuse and Neglect Pre-</b>			
32	<b>vention Board:</b>			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(a) Social Services Program .	1,872,535		1,872,535
2	in accordance with Sections			
3	26-16-1 et seq., Code of Ala-			
4	bama 1975.			
5	SOURCE OF FUNDS:			
6	(1) ETF-Transfer .....	1,872,535		
7	Total Child Abuse and Neglect			
8	Prevention Board .....	1,872,535		1,872,535
9	<b>6. Children's Affairs, Depart-</b>			
10	<b>ment of:</b>			
11	(a) Social Services Program .	4,436,986		4,436,986
12	The proposed spending plan for			
13	the ETF monies included in the			
14	above program is as follows:			
15	Operations and Maintenance			
16	...67,088			
17	Office of School Readiness			
18	...4,369,898			
19	SOURCE OF FUNDS:			
20	(1) ETF .....	4,436,986		
21	Total Children's Affairs, De-			
22	partment of .....	4,436,986		4,436,986
23	In addition to the above ap-			
24	propriation for the Office of			
25	School Readiness, there is			
26	hereby appropriated \$1,000,000			
27	for the Office of School			
28	Readiness from the ETF to be			
29	conditioned upon the avail-			
30	ability of funds in the ETF,			
31	the recommendation of the Di-			
32	rector of Finance and the ap-			
33	proval of the Governor.			
34	<b>7. Debt Service:</b>			
35	(a) Debt Service Program ....	19,931,966		19,931,966
36	For payments on interest and			
37	principal of GO Refunding			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Bonds, Series 1999-A 8,838,858		
2	For payments on interest and		
3	principal of GO Bonds, Series		
4	2001-B ..... 789,674		
5	For payments on interest and		
6	principal of GO Bonds, Series		
7	2001-A ..... 3,621,924		
8	For payments on interest and		
9	principal of GO Bonds, Series		
10	2005-A ..... 6,066,766		
11	For payments on endowments as		
12	follows:		
13	For interest on Auburn Univer-		
14	sity Endowment ..... 20,280		
15	For interest on University of		
16	Alabama Endowment .... 61,000		
17	For interest on Grove Hill		
18	Endowment ..... 600		
19	For interest on Public School		
20	Fund Endowment:		
21	Interest on 16th Section		
22	Lands, Estimated ... \$410,000		
23	Interest on School Indemnity		
24	Lands, Estimated .... \$90,000		
25	Interest on Valueless 16th		
26	Section Land ..... \$5,825		
27	For interest on Surplus Reve-		
28	nue ..... \$26,764		
29	Interest on James Wallace Fund		
30	..... <u>\$275</u>		
31	Total Interest on Public		
32	School Fund Endowment 532,864		
33	SOURCE OF FUNDS:		
34	(1) ETF ..... 19,399,102		
35	(2) ETF-Transfer ..... 532,864		
36	Total Debt Service ..... 19,931,966		19,931,966
37	In addition to the above ap-		
38	propriation for Debt Service,		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	there is hereby appropriated			
2	\$4,328,000 from the ETF as a			
3	reserve for the General Obliga-			
4	tion Debt Service Payment			
5	that is due on October 1,			
6	2007.			
7	<b>8. Education, State Board of -</b>			
8	<b>Local Boards of Education:</b>			
9	(a) Foundation Program .....	3,374,868,778	389,069,720	3,763,938,498
10	(b) Transportation Program ..	316,697,013		316,697,013
11	Of the above appropriation,			
12	the amount necessary to fund a			
13	transportation program for			
14	alternative and gifted stu-			
15	dents in any school system in			
16	a Class I municipality shall			
17	be calculated in the distribu-			
18	tion formula by the State De-			
19	partment of Education for the			
20	transportation program. The			
21	State Superintendent is di-			
22	rected to withhold transporta-			
23	tion funds used to pay em-			
24	ployee benefits including but			
25	not limited to PEEHIP, sick			
26	leave, teacher retirement, and			
27	F.I.C.A. from any local board			
28	which does not directly pro-			
29	vide these benefits to trans-			
30	portation employees. No local			
31	board shall be allowed to con-			
32	vert funding provided in this			
33	budget for employee benefits			
34	into other uses or expendi-			
35	tures. The above appropriation			
36	includes fleet renewal funds			
37	of \$5,864 per bus. No fleet			
38	renewal funds shall be sent to			
39	any school system which does			
40	not own its own buses. The			
41	State Examiner of Public Ac-			
42	counts shall assure compli-			
43	ance.			
44	(c) At-Risk Student Program .	30,828,405		30,828,405
45	Each district shall receive			
46	its pro rata share for each			

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	student who is defined as be-		
2	ing at-risk of dropping out of		
3	school or is performing at an		
4	academic level below current		
5	grade placement. It is the		
6	intent of the Legislature that		
7	school systems should be en-		
8	couraged to successfully move		
9	students from the at-risk cat-		
10	egory. Therefore, a school		
11	system shall maintain its		
12	at-risk funding for every stu-		
13	dent removed from its at-risk		
14	definition for the next two		
15	fiscal years. Local school		
16	districts shall maintain sepa-		
17	rate accounts for all funds		
18	received in this category. The		
19	funds provided in this section		
20	are specifically designated		
21	for special programs to serve		
22	these students and may not be		
23	used as a part of a local		
24	school district's general op-		
25	erating budget. Local school		
26	systems in partnership with		
27	and funding from the Depart-		
28	ment of Education are expected		
29	to establish programs which		
30	will increase learning oppor-		
31	tunities for at-risk students.		
32	These programs shall include,		
33	but not be limited to, af-		
34	ter-school tutoring, summer		
35	schools, weekend schools,		
36	character education programs,		
37	drop-out prevention programs,		
38	career technical education		
39	youth programs, alternative		
40	schools, training of parents,		
41	purchase and use of web-based		
42	practice tests for the high		
43	school graduation exam and		
44	other state required standard-		
45	ized tests, programs to im-		
46	prove reading, and/or math,		
47	and/or science skills to in-		
48	crease grade-to-grade promo-		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	tion, high school graduation			
2	and college preparedness, and			
3	other activities designed to			
4	assist at-risk students. The			
5	State Department of Education			
6	shall monitor the intent of			
7	the Legislature in the use of			
8	these funds and shall assure			
9	that they are used only in a			
10	manner designed to provide			
11	additional assistance above			
12	and beyond the regular in-			
13	structional program for			
14	at-risk students. At-risk			
15	funds shall not be used to			
16	supplant any other funding of			
17	summer schools or other activ-			
18	ities which are designed to			
19	serve the general student pop-			
20	ulation but must be used for			
21	specific programs for at-risk			
22	students. At-risk students			
23	shall be defined as those stu-			
24	dents who have scored in			
25	Stanines 1,2,3, or 4 on the			
26	most recently administered			
27	statewide student assessment.			
28	Further, local school faculty			
29	and the school principal shall			
30	make specific recommendations			
31	for students at the school to			
32	be included as participants in			
33	the at-risk program. At-risk			
34	funds may be expended for stu-			
35	dent programs to improve the			
36	efficiency and utilization of			
37	technology-based educational			
38	resources in the classroom. As			
39	a part of the above appropria-			
40	tion for the At-Risk Student			
41	Program, there is hereby ap-			
42	propriated \$750,000 for the			
43	Alabama Student Information			
44	Management System (ASIMS).			
45	ASIMS will connect each school			
46	in Alabama with the Department			
47	of Education through a common			
48	software program in order to			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	assimilate data necessary to		
2	comply with state accountabil-		
3	ity standards, Legislative		
4	Fiscal Office requests, and		
5	the 2001 Reauthorization of		
6	the Elementary and Secondary		
7	Education Act (ESEA). It is		
8	the intent of the Legislature		
9	that schools and school sys-		
10	tems involve the community in		
11	planning and implementing		
12	at-risk programs. Therefore,		
13	schools shall expend at least		
14	20% of the at-risk funds to		
15	partner with non-profit commu-		
16	nity organizations in planning		
17	and implementing at-risk pro-		
18	grams which directly assist in		
19	improving academic perfor-		
20	mance. Such programs may in-		
21	clude, but not be limited to,		
22	Boys and Girls Clubs, YMCAs,		
23	21st Century Leadership, Pell		
24	City Bridge Builders, Alabama		
25	Young Farmers Education Pro-		
26	gram, and local civic and		
27	charitable organizations. It		
28	is the intent of the Legisla-		
29	ture that these funds not be		
30	utilized to partner with gov-		
31	ernmental nor		
32	quasi-governmental agencies		
33	and entities whose functions		
34	already include programs des-		
35	ignated for at-risk funding.		
36	The local school board shall		
37	set forth the efforts made to		
38	identify and involve community		
39	organizations. The local board		
40	shall revert to the Education		
41	Trust Fund any portion of the		
42	20% of its at-risk funding		
43	which was not expended on		
44	partnerships with qualifying		
45	community organizations. If		
46	after a diligent process the		
47	local board cannot identify		
48	effective community organiza-		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	tions, the local board may		
2	request a waiver from this 20%		
3	requirement from the State		
4	Superintendent of Education.		
5	The local board must submit an		
6	alternative plan to the State		
7	Superintendent accompanying		
8	the request for the waiver.		
9	The State Superintendent may		
10	approve a waiver only upon		
11	good and sufficient cause. In		
12	appropriate situations, busi-		
13	nesses may partner with		
14	schools or school systems for		
15	at-risk programs but may not		
16	receive any compensation or		
17	reimbursement for expenses or		
18	other costs. The State Board		
19	of Education is hereby autho-		
20	rized, at its discretion, to		
21	institute a pilot program to		
22	employ behavioral support spe-		
23	cialists in public middle		
24	schools.		
25	(d) Endowment Interest Pro-		
26	gram-Public School Fund,		
27	Estimated .....	532,864	532,864
28	(e) Capital Outlay Pro-		
29	gram-Public School Fund,		
30	Estimated .....	130,000,000	130,000,000
31	(f) Board of Adjustment .....	562,800	562,800
32	(g) Salary Matrix Adjustment	20,857,964	20,857,964
33	(h) School Nurses Program ...	26,637,596	26,637,596
34	To be distributed so that each		
35	school system shall receive		
36	one nurse and additional nurse		
37	or fractions of a nursing al-		
38	location based upon the aver-		
39	age daily membership during		
40	the first 20 scholastic days		
41	after Labor Day of the preced-		
42	ing school year.		
43	(i) Capital Outlay Pro-		
44	gram-Federal and Local		
45	Funds, Estimated .....	32,217,207	32,217,207

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(j) Technology Coordinators .	4,711,022		4,711,022
2	The above appropriation shall			
3	be expended by local school			
4	systems towards the position			
5	of a district technology coor-			
6	dinator that meets the job			
7	description and qualifications			
8	as established by the State			
9	Board of Education and serves			
10	as the primary point of con-			
11	tact for all technology is-			
12	sues. The District Technology			
13	Coordinator as directed by the			
14	school system shall be respon-			
15	sible for a technology program			
16	that ensures the proper ac-			
17	countability for the follow-			
18	ing: technology funds; tech-			
19	nology professional develop-			
20	ment; technology planning and			
21	reporting; coordination of			
22	technology across all pro-			
23	grams; a safe, secure, and			
24	fully operable network; tech-			
25	nology procurement and inven-			
26	tory; technology support for			
27	data management; technology			
28	support for distance learning;			
29	and, directing a program to			
30	ensure all state standards			
31	involving technology for			
32	teachers, administrators, and			
33	students are met and technol-			
34	ogy is integrated throughout			
35	the curriculum.			
36	SOURCE OF FUNDS:			
37	(1) ETF .....	3,775,163,578		
38	(2) Federal and Local Funds .		421,286,927	
39	(3) Public School Fund, Esti-			
40	mated .....		130,532,864	
41	Total Education, State Board			
42	of - Local Boards of Education			
43	.....	3,775,163,578	551,819,791	4,326,983,369

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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Of the above appropriation, one teacher unit shall be allocated for public schools in Madison County to employ a behavioral support specialist for the pilot programs. In addition to the above appropriation for the Foundation Program, there is hereby appropriated \$17 million for Other Current Expense to be conditioned upon the availability of funds in the ETF, the recommendation of the Director of Finance and the approval of the Governor.

The above appropriation shall be distributed by the State Board of Education in accordance with the provisions of the Code of Alabama 1975, Sections 16-13-230 through 16-13-239, and all other laws and regulations of the State Board of Education relating to the expenditure of such funds. These funds shall be used to provide a minimum school term of 180 full instructional days and for equitable educational opportunities in the public schools of the state. Foundation Program calculations for FY 2006-2007 are based on the funding divisors set forth below. Such divisors shall not serve to prescribe pupil-teacher ratios.

Grades K-3 ...	13.8
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Grades 4-6 ...	21.4
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Grades 7-8 ...	20.4
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Grades 9-12 ..	18
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It is the intent of the Legislature that additional teacher units earned as a result of the reduction of the divisors for grades 4 through 8 be used for additional physical education and special education teachers.

In allocating the funds in the Foundation Program, the State Board of Education shall allot funds based on the rates established as follows:

The Foundation Program shall use the following salary matrix to determine the cost of instructional salaries, based on 187 contract days, and any part-time contract shall conform to the pro-rata share of the following matrix:

Years Experience	BS	MS	6Y	DO	ND
Less than 3	33,737	38,796	41,834	44,870	33,737
3 but less than 6	37,109	42,675	46,015	49,356	37,109
6 but less than 9	38,734	44,544	48,042	51,515	38,734
9 but less than 12	39,253	45,142	48,675	52,208	39,253
12 but less than 15	39,967	45,960	49,559	53,156	39,967
15 but less than 18	40,878	47,010	50,689	54,366	40,878
18 but less than 21	41,406	47,616	51,343	55,070	41,406

		Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	21 but less				
2	than 24	41,934	48,226	51,999	41,934
3	24 but less				
4	than 27	42,434	48,726	52,499	42,434
5	27 or more	42,934	49,226	52,999	42,934

6 It is the intent of the Legislature that two steps be added to the salary matrix  
7 above for (1) 24 years but less than 27 years and (2) for 27 years or more.

8 For additional professional development, local boards of education are hereby autho-  
9 rized, pursuant to rules and regulations established by the State Board of Educa-  
10 tion, to continue to schedule the two additional days authorized beginning in FY  
11 2000 for professional development/continuing education for all 9, 10 and 11 month  
12 certificated employees at their regular daily rate of pay beyond the previous 180  
13 day employment contract. It is the intent of the Legislature that the use of these  
14 days be in accordance with a local school self-improvement plan developed at each  
15 school through a collaborative effort of the employees involved and the local school  
16 administrators. These two days for professional development/continuing education  
17 shall be made a part of the regular school year calendar. The purpose of the days  
18 provided herein is to improve classroom instruction, discipline, and school safety.  
19 The principal of each school shall report to the local superintendent the manner in  
20 which these two professional development days were used at the school. The local  
21 superintendent of education shall consolidate the reports from each school and send  
22 the report to the State Superintendent of Education. The use of the days shall be  
23 incorporated into the school system's professional development plan. It shall be the  
24 obligation of the in-service centers and colleges and universities to render maximum  
25 assistance to local school employees. The requirement of this section shall also  
26 apply to 9, 10 and 11 month certificated personnel at the Alabama Institute for Deaf  
27 and Blind, the Department of Youth Services, the School of Math and Science and the  
28 School of Fine Arts. Local boards of education are hereby authorized to schedule  
29 these two days of professional development/continuing education for all current 9,  
30 10 and 11 month contracts of support personnel and all 9, 10 and 11 month contracts  
31 of Child Nutrition Program support personnel at their regular daily rate of pay be-  
32 yond the previous 180 day employment contract. It is the intent of the Legislature  
33 that the purpose of these training sessions for all employed support personnel will  
34 be to provide occupation-specific skill training, safety training, training on  
35 school discipline, and other relevant aspects of support personnel interaction with  
36 students. For the purpose of these training sessions, it shall be the obligation of  
37 local boards of education to seek qualified occupation-specific trainers from the  
38 Department of Education and/or private vendors solely for training purposes. The  
39 requirement of this section shall apply to 9, 10 and 11 month support personnel at  
40 the Alabama Institute for Deaf and Blind, the Department of Youth Services, the  
41 School of Math and Science and the School of Fine Arts. Local or state board of edu-  
42 cation rules or regulations shall not be construed to negate the intent of the Leg-  
43 islature. The State Board of Education shall take care to ensure the implementation  
44 of the legislative intent as provided by this section.

45 For "Fringe Benefits" the rate per day for two personal days and five sick days (for  
46 units earned in the Foundation Program) shall be \$40. The Teachers' Retirement Sys-

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
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tem rate shall be 9.36% of salaries. The Public Education Employees' Health Insurance Program (PEEHIP) rate shall be \$717 per month for each full-time employee.

For "Classroom Instructional Support" the uniform amounts used in determining the Foundation Program allowance for classroom instructional support shall be: (1) classroom materials and supplies at \$525 per unit earned in the Foundation Program as required in Section 16-1-8.1, Code of Alabama, 1975; (2) textbooks at \$67.50 per pupil in average daily membership during the first 20 scholastic days after Labor Day of the preceding school year; (3) technology at \$350 per unit earned in the Foundation Program; (4) professional development at \$90 per unit earned in the Foundation Program; (5) library enhancement at \$200 per unit earned in the Foundation Program; (6) a common purchase fund at each local school at \$200 per unit earned in the Foundation Program; and (7) funds allocated for instructional support units to meet SACS standards shall be used exclusively and specifically for principals, assistant principals, counselors, and librarians and library aides, as calculated by the State Department of Education and assigned to the schools where such units are earned. The budgeting and expenditure of funds in the Foundation Program at the local level shall be determined and made by the local board of education in accordance with rules and regulations of the State Board of Education and all laws governing such school budgets and expenditures.

Each local school superintendent shall submit a notarized affidavit to the State Department of Education certifying that funds appropriated in this section have been expended for instructional supplies or instructional equipment for classrooms as provided and required in Section 16-1-8.1, Code of Alabama 1975. On the affidavit the superintendent shall state the amount of funds expended for use by classroom teachers and the amount of funds expended for collective purchases for instructional purposes. The affidavit of expenditures shall be subject to audit by the Examiners of Public Accounts.

**9. Education, State Board of -  
Two-Year College System:**

(a) Operations and Maintenance .....	341,743,610	194,417,926	536,161,536
(b) Auxiliary Enterprises ...		30,652,000	30,652,000
(c) Restricted Funds .....		188,801,265	188,801,265
(d) Operations and Maintenance of Postsecondary Prison Edu- cation (ETF) .....	8,004,930		8,004,930
(e) Postsecondary Skills Training and Education (Fed- eral and Other Funds) .....		26,000,000	26,000,000
(f) C.I.T.Y. Programs .....	5,135,174		5,135,174
(g) Adult Education Program	16,428,598	10,794,618	27,223,216
(h) Postsecondary Education Department .....	4,834,547	4,139,306	8,973,853

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (i) Truck Driver Training ...		1,540,000	1,540,000
2 Pursuant to Code of Alabama			
3 1975, Section 32-5-313.			
4 (j) Special Populations Train-			
5 ing .....	5,150,000		5,150,000
6 For programs to prepare the			
7 inmate population, parolees or			
8 other special populations des-			
9 ignated by the Chancellor for			
10 entry into the workforce			
11 through adult education,			
12 preemployment skills training,			
13 and short-term intensive ca-			
14 reer technical training.			
15 (k) Mine Safety Training Pro-			
16 gram .....	250,000		250,000
17 SOURCE OF FUNDS:			
18 (1) ETF .....	381,546,859		
19 (2) Federal and Other Funds .		456,345,115	
20 Total Education, State Board			
21 of - Two-Year College System	381,546,859	456,345,115	837,891,974
22 (1) From the above appropriation from the ETF for Operations and Maintenance, each			
23 of the colleges shall receive the amounts necessary to fund additional employer con-			
24 tributions to PERHIP and teachers retirement plus an amount equal to the Operations			
25 and Maintenance allocation received from the ETF in Act 2005-173. The Chancellor			
26 shall be authorized to distribute any remaining funds to develop and implement pro-			
27 grams designed to provide a skilled workforce, to strengthen emergency medical ser-			
28 vices educational programs, and to provide college operations and maintenance allo-			
29 cations.			
30 (2) The other allocations required herein shall be distributed as determined by the			
31 Chancellor. In addition to the above appropriation, there is hereby appropriated			
32 \$500,000 to be conditioned on the availability of funds in the ETF, the recommenda-			
33 tion of the Director of Finance and the approval of the Governor.			
34 10. Education, State Department			
35 of:			
36 (a) Administrative Services			
37 Program .....	155,762,800	168,684,319	324,447,119
38 The proposed spending plan for			
39 the ETF monies included in the			
40 above program is as follows:			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Operations and			
2 Maintenance of			
3 the Department	35,259,815		
4 Of the above appropriation, at			
5 least \$12,279,548 shall be			
6 expended in the same manner			
7 and for the same programs as			
8 the appropriation to the State			
9 Department of Education from			
10 the Children First Trust Fund			
11 was expended in FY 2005.			
12 Operations and			
13 Maintenance for			
14 the Alabama			
15 Reading Initia-			
16 tive .....	56,018,668		
17 Operations and			
18 Maintenance for			
19 Math/Science/Te			
20 chnology Ini-			
21 tiative .....	22,000,000		
22 Arts Education	300,000		
23 For art education programs in			
24 areas evaluated and reviewed			
25 by the Black Belt Action Com-			
26 mission.			
27 Alabama High			
28 School Athlet-			
29 ics Association			
30 .....	1,000,000		
31 Teacher/Student			
32 Testing .....	2,972,918		
33 To be expended for			
34 teacher/student test develop-			
35 ment and expenses directly			
36 related to teacher and student			
37 assessment.			
38 Children's Eye			
39 Screening Pro-			
40 gram .....	1,733,334		
41 Of the above appropriation,			
42 \$900,000 shall be used to pro-			
43 vide eye screening for Grades			
44 K and 2 and \$833,334 shall be			

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	used to provide follow-up care		
2	for those Grades K and 2 stu-		
3	dents. The method of screening		
4	shall be color photo refrac-		
5	tion as developed by the Na-		
6	tional Aeronautics and Space		
7	Administration.		
8	Governor's Lo-		
9	cal School and		
10	School System		
11	Academic and		
12	Financial Im-		
13	provement Pro-		
14	gram (At-Risk)	18,441,983	
15	The above appropriation shall		
16	be expended for the operations		
17	and maintenance of at-risk		
18	programs to develop and imple-		
19	ment school improvement pro-		
20	grams financial and/or aca-		
21	demic accountability per Sec-		
22	tion 16-6B-3, Code of Alabama		
23	1975 and for benefits for ap-		
24	propriate personnel within the		
25	Department of Education.		
26	At-risk funds shall be used to		
27	employ personnel under		
28	short-term contracts who shall		
29	be assigned by the State Su-		
30	perintendent of Education to		
31	give direct assistance to		
32	schools which come under the		
33	jurisdiction of the Department		
34	in accordance with Sections		
35	16-6B-1 through 16-6B-6, Code		
36	of Alabama, 1975, which re-		
37	quires schools and/or school		
38	systems to be placed in inter-		
39	vention for academic and/or		
40	financial reasons by the State		
41	Superintendent. In selecting		
42	these personnel, the State		
43	Superintendent shall give		
44	preference to persons who have		
45	achieved National Board for		
46	Professional Teaching Stan-		
47	dards (NBPTS) certification		
48	and/or who have been chosen as		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Alabama Teachers of the Year.		
2	In the event this pool of per-		
3	sonnel is inadequate, the		
4	State Superintendent may then		
5	employ other teaching and/or		
6	administrative personnel who		
7	have been recognized for their		
8	competence. Such personnel		
9	shall be assigned to work di-		
10	rectly with schools whose op-		
11	erations are assumed by the		
12	state. The State Superinten-		
13	dent may further use these		
14	personnel to assist schools		
15	that are on Priority status as		
16	well as use these funds in		
17	partnership with and funding		
18	from the Department of Educa-		
19	tion to improve the learning		
20	opportunities for at-risk stu-		
21	dents. These programs shall		
22	include, but not be limited		
23	to, after school programs,		
24	character education programs,		
25	drop-out prevention programs,		
26	summer programs, career tech-		
27	nical youth programs, programs		
28	to improve reading, and/or		
29	math, and/or science skills to		
30	increase grade-to-grade promo-		
31	tion, high school graduation		
32	and college preparedness, and		
33	other activities designed to		
34	assist at-risk students. Per-		
35	sonnel employed or contracted		
36	by the Department for assis-		
37	tance in at-risk schools shall		
38	be on release status from		
39	their respective local boards		
40	of education and shall retain		
41	all benefits and tenure status		
42	unless they are given perma-		
43	nent employment in the State		
44	Department of Education. Funds		
45	may be allocated to entities		
46	that have and/or can effect		
47	positive results in improved		
48	student achievement. Of the		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	above appropriation, a minimum		
2	of \$2,467,250 is to be ex-		
3	pende to reward schools for		
4	increasing their academic		
5	achievement. Rewards will go		
6	directly to the school in		
7	which improvement is made and		
8	should be invested in instruc-		
9	tional improvement programs,		
10	incentives and/or materials		
11	voted on by the teaching body.		
12	The State Board of Education		
13	is hereby authorized, at its		
14	discretion, to institute a		
15	pilot program to employ behav-		
16	ioral support specialists in		
17	public middle schools.		
18	School Account-		
19	ability Report		
20	Card ..... 746,282		
21	For distribution of the School		
22	Accountability Report Card		
23	referred to in Section 16-6B-7		
24	of the Code of Alabama 1975 to		
25	every parent with a child in		
26	Alabama public schools.		
27	English as a		
28	Second Language		
29	Students Pro-		
30	gram ..... 4,339,800		
31	Based on the 2004-05 school		
32	system count supplied to the		
33	Alabama Department of Educa-		
34	tion by each local superinten-		
35	dent of education, herein is		
36	appropriated \$297 per student		
37	to be utilized by local school		
38	boards to provide assistance		
39	to students not utilizing Eng-		
40	lish as their native language		
41	so they may become proficient		
42	in reading, writing, and		
43	speaking English at the earli-		
44	est possible time.		
45	Tenure Arbitra-		
46	tion Costs ... 900,000		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Of the above appropriation for			
2 Tenure Arbitration Costs,			
3 \$100,000 shall be transferred			
4 to fund the Office of the At-			
5 torney General for performance			
6 of arbitration services, in-			
7 cluding administration of the			
8 State's tenure laws (Code of			
9 Alabama 1975, Section			
10 36-26-115) by the Office of			
11 Administrative Hearings, Divi-			
12 sion of Administrative Law			
13 Judges.			
14 Teacher Incen-			
15 tive Pay ..... 725,000			
16 Distance Learn-			
17 ing ..... 10,325,000			
18 Job descriptions shall be de-			
19 veloped by the State Depart-			
20 ment of Education for posi-			
21 tions funded by this appropri-			
22 ation. Hiring of personnel			
23 shall be monitored by the			
24 State Department of Education			
25 for compliance with these job			
26 descriptions. In addition,			
27 these funds shall be used ex-			
28 clusively to meet the distance			
29 learning initiative ACCESS			
30 (Alabama Connecting Class-			
31 rooms, Educators, and Students			
32 Statewide).			
33 Advanced Place-			
34 ment ..... 1,000,000			
35 (b) Financial Assistance Pro-			
36 gram ..... 22,008,784	22,008,784	769,779,119	791,787,903
37 The proposed spending plan for			
38 the ETF monies included in the			
39 above program is as follows:			
40 Southwest			
41 School of Deaf			
42 and Blind .... 343,301			
43 Pre-School Pro-			
44 gram ..... 2,266,473			

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	Council on Eco-		
2	nomic Education		
3	.....	50,000	
4	National Board		
5	for Profes-		
6	sional Teaching		
7	Standards ....	8,690,000	
8	The above appropriation in-		
9	cludes funds to pay assessment		
10	fees for teachers desiring to		
11	take the examination, funds to		
12	provide a \$5,000 addition to		
13	base salary as determined by		
14	the Minimum Salary Schedule		
15	for all board-certified teach-		
16	ers and funds to provide a		
17	one-time bonus for teachers		
18	earning certification to be		
19	used for classroom supplies,		
20	materials and equipment. Ala-		
21	bama teachers shall apply for		
22	funding of the assessment fees		
23	and recipients are required to		
24	commit to teach in Alabama		
25	public schools for an addi-		
26	tional period of five years		
27	unless an exception is granted		
28	for just cause. Of the funds		
29	provided herein, an amount not		
30	to exceed \$45,000 shall be		
31	used to pay for release time		
32	of personnel used by the State		
33	Department of Education to		
34	mentor prospective candidates		
35	for the NBPTS certification		
36	and to assist in determining		
37	which candidates shall receive		
38	state funding to take the ex-		
39	amination. Salary must be pro-		
40	vided before said amount can		
41	be used by the State Depart-		
42	ment of Education for person-		
43	nel release time.		
44	Teacher		
45	In-Service Cen-		
46	ters .....	2,724,286	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	The State Board of Education,		
2	through the State Superinten-		
3	dent of Education, shall ad-		
4	minister the in-service cen-		
5	ters and shall monitor the		
6	centers for compliance with		
7	established accountability		
8	standards. Each regional		
9	In-Service Center will report		
10	to the Chair of the House Com-		
11	mittee on Education Finance		
12	and Appropriations, the Chair		
13	of the Senate Committee on		
14	Finance and Taxation-Education		
15	and the Legislative Fiscal		
16	Officer the number of teachers		
17	the Center has trained. The		
18	above appropriation to the		
19	In-Service Centers shall be		
20	distributed to the existing		
21	eleven Teacher In-Service Cen-		
22	ters in each geographical area		
23	of the state as follows:		
24	University of		
25	Alabama		
26	....	\$201,366	
27	University of		
28	Alabama at Bir-		
29	mingham		
30	....	\$317,142	
31	Alabama A and M		
32	University		
33	....	\$280,185	
34	Alabama State		
35	University		
36	....	\$227,636	
37	Athens State		
38	University		
39	....	\$217,602	
40	Auburn Univer-		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	sity		
2	.... \$230,577		
3	Jacksonville		
4	State Univer-		
5	sity		
6	.... \$223,731		
7	University of		
8	Montevallo		
9	.... \$240,224		
10	Troy University		
11	.... \$243,881		
12	University of		
13	North Alabama		
14	.... \$194,564		
15	University of		
16	South Alabama		
17	.... \$347,378		
18	Teacher Profes-		
19	sional Technol-		
20	ogy Training .	1,352,399	
21	This appropriation shall be		
22	used to train teachers (K-12)		
23	in the use of computers in the		
24	classroom. Trainers shall be		
25	chosen who can assist teachers		
26	in learning computer skills,		
27	the use of instructional soft-		
28	ware, and the classroom uses		
29	of the Internet.		
30	Jobs for Ala-		
31	bama's Gradu-		
32	ates (JAG) ...	696,398	
33	Governor's High		
34	Hopes for Ala-		
35	bama Students	5,885,927	
36	This money is to be allocated		
37	on behalf of each student		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 failing any section of the			
2 Alabama High School Graduation			
3 Exam, an amount to be deter-			
4 mined by dividing the sum al-			
5 located in this section by the			
6 number of students in the			
7 state who fail any section of			
8 the exam. The sum derived			
9 shall then be multiplied by			
10 the number who failed any sec-			
11 tion of the exam in each			
12 school. That amount shall then			
13 be allocated by each school			
14 system to the school to be			
15 used to provide immediate as-			
16 sistance to the specific stu-			
17 dents who failed. The funds			
18 appropriated in this section			
19 for graduation exam failure			
20 shall be in addition to and			
21 may not supplant any other			
22 funds required to be expended			
23 by the state or local board of			
24 education for remediation and			
25 for the purchase of web-based			
26 sample practice tests for the			
27 High School Graduation Exam			
28 and other state required stan-			
29 dardized tests which can be			
30 taken and scored using a			
31 web-based platform, or for			
32 at-risk students, including,			
33 but not limited to, Section			
34 16-6B-3, Code of Alabama 1975,			
35 and/or any rules or regula-			
36 tions adopted by the State			
37 Board of Education.			
38 (c) Alabama Science In Motion			
39 Program .....	2,214,759		2,214,759
40 It is the Legislature's intent			
41 that all funds appropriated to			
42 this program be expended in			
43 accordance with Title 16,			
44 Chapters 61B and 61C, Code of			
45 Alabama 1975.			
46 (d) Disability Determination			
47 for Social Security Program		69,086,546	69,086,546

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:		
2	(1) ETF .....	177,771,584	
3	(2) ETF-Transfer .....	2,214,759	
4	(3) Federal and Local Funds .	1,007,549,984	
5	Total Education, State Depart-		
6	ment of .....	179,986,343	1,007,549,984
7	11. Educational Television Com-		
8	mission:		
9	(a) Educational Television and		
10	Public Radio Service Program		
11	.....	8,884,209	1,389,517
12	SOURCE OF FUNDS:		
13	(1) ETF .....	8,884,209	
14	(2) Federal and Local Funds .	1,389,517	
15	Total Educational Television		
16	Commission .....	8,884,209	1,389,517
17	12. Family Practice Rural Health		
18	Board:		
19	(a) Family Practice Rural		
20	Health Program .....	1,447,703	1,447,703
21	SOURCE OF FUNDS:		
22	(1) ETF .....	1,447,703	
23	Total Family Practice Rural		
24	Health Board .....	1,447,703	1,447,703
25	Of the above appropriation, at		
26	least \$100,000 shall be ex-		
27	pended for the Auburn Rural		
28	Health Program and a minimum		
29	of \$100,000 shall be expended		
30	for the Tuskegee Area Health		
31	Education Center (TAHEC). Of		
32	the above appropriation,		
33	\$540,000 shall be expended for		
34			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	the Rural Medical Scholars			
2	Program at the University of			
3	Alabama at Tuscaloosa.			
4	<b>13. Finance, Department of:</b>			
5	(a) Employee Benefits Program	900,000		900,000
6	SOURCE OF FUNDS:			
7	(1) ETF, Estimated .....	900,000		
8	Total Finance, Department of	900,000		900,000
9	To be distributed by the State			
10	Comptroller to the designated			
11	beneficiaries or estates for			
12	unused sick leave pursuant to			
13	Code of Alabama, Section			
14	16-1-18.2.			
15	<b>14. Finance, Department of -</b>			
16	<b>Telephone Revolving Fund:</b>			
17	(a) Information Systems Pro-			
18	gram .....	1,400,000		1,400,000
19	SOURCE OF FUNDS:			
20	(1) ETF-Transfer .....	1,400,000		
21	Total Finance, Department of -			
22	Telephone Revolving Fund ....	1,400,000		1,400,000
23	The Telephone Revolving Fund			
24	shall assess to using agencies			
25	and institutions any addi-			
26	tional amount necessary to			
27	provide continuing			
28	non-interrupted service of a			
29	minimum maintenance level.			
30	<b>15. Fine Arts, Alabama School of:</b>			
31	(a) Fine Arts Program .....	5,288,424	1,003,760	6,292,184
32	SOURCE OF FUNDS:			
33	(1) ETF .....	5,288,424		
34	(2) Federal and Local Funds .		1,003,760	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Total Fine Arts, Alabama		
2	School of .....	5,288,424	1,003,760
			6,292,184
3	<b>16. Fire Fighters' Personnel</b>		
4	<b>Standards and Education Com-</b>		
5	<b>mission, Alabama/Fire College</b>		
6	<b>Shelton State Community Col-</b>		
7	<b>lege:</b>		
8	(a) Operations and Maintenance		
9	.....	5,707,838	1,550,200
			7,258,038
10	SOURCE OF FUNDS:		
11	(1) ETF .....	5,707,838	
12	(2) Federal and Local Funds ..		1,550,200
13	Total Fire Fighters' Personnel		
14	Standards and Education Com-		
15	mission, Alabama/Fire College		
16	Shelton State Community Col-		
17	lege .....	5,707,838	1,550,200
			7,258,038
18			
19	<b>17. Governor's Office of Faith</b>		
20	<b>Based and Community Initia-</b>		
21	<b>tives:</b>		
22	(a) Executive Direction Pro-		
23	gram .....	150,000	150,000
24	SOURCE OF FUNDS:		
25	(1) ETF .....	150,000	
26	Total Governor's Office of		
27	Faith Based and Community Ini-		
28	tatives .....	150,000	150,000
29			
30	<b>18. Higher Education, Alabama</b>		
31	<b>Commission on:</b>		
32	(a) Planning and Coordination		
33	Services Program .....	2,734,090	2,734,090
34	The proposed spending plan for		
35	the ETF monies included in the		
36	above program is as follows:		
37	Operations and		
	Maintenance ..	2,734,090	

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Of the above appropriation,			
2	the Commission shall expend			
3	\$100,000 for the School and			
4	University Partnership for			
5	Education Renewal Program			
6	(SUPER).			
7	(b) Student Financial Aid Pro-			
8	gram .....	5,303,172	865,288	6,168,460
9	(1) Policeman's			
10	Survivor Tui-			
11	tion, Estimated			
12	..... 137,000			
13	To be expended under the pro-			
14	visions of Code of Alabama			
15	1975, Section 36-21-105.			
16	(2) Alabama Na-			
17	tional Guard			
18	Educational As-			
19	sistance ..... 675,143			
20	To be expended in accordance			
21	with Code of Alabama 1975,			
22	Sections 31-10-1 through			
23	31-10-4 and Sections 31-10-20			
24	through 31-10-25.			
25	(3) Alabama			
26	Student Assis-			
27	tance Program 1,721,558			
28	(4) Educational			
29	Grants Program 2,769,471			
30	To be expended in accordance			
31	with Code of Alabama 1975,			
32	Sections 16-33A-1 through			
33	16-33A-11. It is the intent of			
34	the Legislature that private			
35	institutions receiving state			
36	grant funds under this provi-			
37	sion make their best effort to			
38	use the equivalent of ten per-			
39	cent of Federal Work Study			
40	allocations for the purpose of			
41	tutoring and mentoring stu-			
42	dents in grades K-12 to better			
43	prepare them for graduation,			
44	college entry and retention.			
45	Institutions shall work with			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 their respective governing			
2 boards to develop and imple-			
3 ment this effort.			
4 (c) Support of Other Educa-			
5 tional Activities Program .	2,487,926	1,500,000	3,987,926
6 The proposed spending plan for			
7 the ETF monies included in the			
8 above program is as follows:			
9 (1) Network of			
10 Alabama Aca-			
11 demic Libraries			
12 .....	321,655		
13 It is the intent of the Legis-			
14 lature that ACHE shall provide			
15 for the participation of Ath-			
16 ens State University in the			
17 Network of Alabama Academic			
18 Libraries.			
19 (2) Southern			
20 Regional Educa-			
21 tion Board			
22 (SREB) .....	716,271		
23 (3) EPSCoR Pro-			
24 gram .....	1,000,000		
25 In addition to the above ap-			
26 propriation, there is hereby			
27 appropriated the sum of			
28 \$500,000 from the ETF to the			
29 Alabama Commission on Higher			
30 Education for the EPSCoR Pro-			
31 gram to be conditioned upon			
32 the availability of funds in			
33 the ETF, the recommendation of			
34 the Director of Finance, and			
35 the approval of the Governor.			
36 (4) Computer			
37 Based Articula-			
38 tion System ..	450,000		
39 To fund Troy University for			
40 developing and operating a			
41 statewide computer-based ar-			
42 ticulation system to serve all			
43 four-year and two-year			
44 postsecondary institutions in			
45 the State of Alabama.			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (d) Alabama Guaranteed Student			
2 Loan Program .....		537,060	537,060
3 (e) Alabama Agricultural Land			
4 Grant Alliance Program ....	6,500,000		6,500,000
5 Of the above appropriation to			
6 the Alabama Agricultural Land			
7 Grant Alliance, \$4,403,109			
8 shall be equally distributed			
9 as a state match for federal			
10 funds for those institutions			
11 in the Alliance required to			
12 provide matching funds in or-			
13 der to obtain federal funds			
14 for the first time in fiscal			
15 year 2000; \$400,000 shall be			
16 allocated for fruit and vege-			
17 table marketing initiative;			
18 and \$100,000 shall be allo-			
19 cated for the Youth Partner-			
20 ship Program.			
21 SOURCE OF FUNDS:			
22 (1) ETF .....	17,025,188		
23 (2) Federal and Local Funds .		2,902,348	
24 Total Higher Education, Ala-			
25 bama Commission on .....	17,025,188	2,902,348	19,927,536
26 <b>19. Human Resources, Department</b>			
27 <b>of:</b>			
28 (a) Jobs Opportunities and			
29 Basic Skills Training (JOBS)			
30 Program .....	5,496,041		5,496,041
31 (b) JOBS Child Care and After			
32 School Child Care Program .	9,993,059		9,993,059
33 SOURCE OF FUNDS:			
34 (1) ETF-Transfer .....	15,489,100		
35 Total Human Resources, Depart-			
36 ment of .....	15,489,100		15,489,100
37 Of the above appropriation, a			
38 minimum of \$1,000,000 is to be			
39 distributed to the day care			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	centers in rural areas within			
2	the state for the dual purpose			
3	of providing day care services			
4	to the working poor and pro-			
5	vide state match to draw down			
6	additional federal subsidy			
7	dollars. These funds shall be			
8	distributed based upon a mean-			
9	ingful formula, taking into			
10	account service delivery area,			
11	population, and the services			
12	required by the targeted cli-			
13	ents.			
14	<b>20. Industrial Development Train-</b>			
15	<b>ing Institute, Alabama:</b>			
16	(a) Operations and Maintenance			
17	Program .....	5,540,198		5,540,198
18	(b) Industrial Development and			
19	Training Program .....	6,440,154		6,440,154
20	SOURCE OF FUNDS:			
21	(1) ETF .....	11,980,352		
22	Total Industrial Development			
23	Training Institute, Alabama .	11,980,352		11,980,352
24	<b>21. Library Service, Alabama Pub-</b>			
25	<b>lic:</b>			
26	(a) Public Library Service			
27	Program .....	11,863,834	2,542,642	14,406,476
28	Of the above appropriation, a			
29	minimum of \$5,090,608 is to be			
30	distributed to the public li-			
31	braries within the state;			
32	\$3,757,600 shall be expended			
33	for the Virtual Library Pro-			
34	ject; and \$300,000 shall be			
35	expended for Homework Alabama.			
36	SOURCE OF FUNDS:			
37	(1) ETF .....	11,863,834		
38	(2) Federal and Local Funds .		2,542,642	
39	Total Library Service, Alabama	11,863,834	2,542,642	14,406,476

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Public .....			
2 <b>22. Marine Environmental Sciences</b>			
3 <b>Consortium/Dauphin Island Sea</b>			
4 <b>Lab:</b>			
5 (a) Support of Other Educa-			
6 tional Activities Program ..	3,790,737	2,417,442	6,208,179
7 SOURCE OF FUNDS:			
8 (1) ETF .....	3,790,737		
9 (2) Federal and Local Funds ..		2,417,442	
10 Total Marine Environmental			
11 Sciences Consortium/Dauphin			
12 Island Sea Lab .....	3,790,737	2,417,442	6,208,179
13 <b>23. Mathematics and Science, Ala-</b>			
14 <b>bama School of:</b>			
15 (a) Mathematics and Science			
16 Program .....	6,475,615	71,850	6,547,465
17 SOURCE OF FUNDS:			
18 (1) ETF .....	6,475,615		
19 (2) Federal and Local Funds ..		71,850	
20 Total Mathematics and Science,			
21 Alabama School of .....	6,475,615	71,850	6,547,465
22 <b>24. Mental Health and Mental Re-</b>			
23 <b>tardation, Department of:</b>			
24 (a) Mental Illness Program ..	4,849,361		4,849,361
25 (b) Mental Retardation Program			
26 .....	25,216,092		25,216,092
27 Of the above appropriation to			
28 the Department of Mental			
29 Health and Mental Retardation			
30 for the Mental Retardation			
31 Program, the sum of \$3,291,760			
32 shall be used to fund the			
33 ARC-type community-based pro-			
34 grams, including the Montgom-			
35 ery Institute for Neurological			
36 Development, for the mentally			
37 retarded and developmentally			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 disabled in Alabama and the			
2 sum of \$294,063 shall be allo-			
3 cated to Camp ASCCA. In addi-			
4 tion to the above appropria-			
5 tion to the ARC and ARC-type			
6 community programs, there is			
7 conditionally appropriated to			
8 these programs the sum of			
9 \$190,000 conditioned upon the			
10 availability of funds in the			
11 ETF, the recommendation of the			
12 Director of Finance and the			
13 approval of the Governor. In			
14 addition to the above appro-			
15 priation for Camp ASCCA, there			
16 is hereby appropriated			
17 \$226,085 to Camp ASCCA to be			
18 conditioned upon the avail-			
19 ability of funds in the ETF,			
20 the recommendation of the Di-			
21 rector of Finance and the ap-			
22 proval of the Governor.			
23 (c) Substance Abuse Program .	689,142		689,142
24 SOURCE OF FUNDS:			
25 (1) ETF-Transfer .....	30,754,595		
26 Total Mental Health and Mental			
27 Retardation, Department of ..	30,754,595		30,754,595
28 <b>25. Peace Officers' Standards and</b>			
29 <b>Training Commission, Alabama:</b>			
30 (a) Professional and Occupa-			
31 tional Licensing and Regula-			
32 tion Program .....	328,811	1,200,000	1,528,811
33 (b) Certified Law Enforcement			
34 Academy Program .....	465,670	450,000	915,670
35 Of the above appropriation for			
36 the Certified Law Enforcement			
37 Academy Program, \$465,670 of			
38 ETF monies included therein			
39 shall be expended as follows:			
40 Northeast Po-			
41 lice Academy .	121,074		
42 Alabama Peace			
43 Officers' Stan-	121,074		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	dards and			
2	Training Com-			
3	mission Law			
4	Enforcement			
5	Academy at			
6	Tuscaloosa ...			
7	Southwest Po-			
8	lice Academy .	121,074		
9	Alabama Police			
10	Academy .....	65,194		
11	Montgomery Po-			
12	lice Academy .	37,254		
13	SOURCE OF FUNDS:			
14	(1) ETF .....	794,481		
15	(2) Alabama Peace Officers'			
16	Standards and Training			
17	Fund-as provided in Code of			
18	Alabama 1975, Sections			
19	36-21-40 through 36-21-51 .		1,650,000	
20	Total Peace Officers' Stan-			
21	dards and Training Commission,			
22	Alabama .....	794,481	1,650,000	2,444,481
23	<b>26. Penny Trust Fund - Buskey</b>			
24	<b>Matching Funds:</b>			
25	(a) Special Services Program,			
26	Estimated .....	300,000		300,000
27	SOURCE OF FUNDS:			
28	(1) ETF-Transfer .....	300,000		
29	Total Penny Trust Fund -			
30	Buskey Matching Funds .....	300,000		300,000
31	In accordance with Sections			
32	41-15A-10 through 41-15A-12,			
33	Code of Alabama 1975.			
34	<b>27. Physical Fitness, Governor's</b>			
35	<b>Commission on:</b>			
36	(a) Advisory Services Program	719,892	18,846	738,738
37	SOURCE OF FUNDS:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF .....	719,892		
2	(2) Federal and Local Funds ..		18,846	
3	Total Physical Fitness, Gover-			
4	nor's Commission on .....	719,892	18,846	738,738
5	<b>28. Proration Prevention Account,</b>			
6	<b>Education Trust Fund:</b>			
7	(a) Proration Prevention Ac-			
8	count Program .....	16,000,000		16,000,000
9	To be deposited into the Edu-			
10	cation Trust Fund Proration			
11	Prevention Account created in			
12	Section 40-1-32.1, Code of			
13	Alabama 1975.			
14	SOURCE OF FUNDS:			
15	(1) ETF-Transfer .....	16,000,000		
16	Total Proration Prevention			
17	Account, Education Trust Fund	16,000,000		16,000,000
18	<b>29. Public Health, Department of:</b>			
19	(a) Public Health Services			
20	Program .....	14,050,785		14,050,785
21	The above appropriation shall			
22	be expended for the continua-			
23	tion of the programs in Public			
24	School Sanitation, licensure			
25	and certification, immuniza-			
26	tion activities at the county			
27	level, patient education and			
28	child health, and immunization			
29	of pre-school children and			
30	students, dental health, tu-			
31	berculosis and nursing ser-			
32	vices, and other public health			
33	purposes. Of the above appro-			
34	priation, \$250,000 shall be			
35	expended for AIDS ALABAMA.			
36	SOURCE OF FUNDS:			
37	(1) ETF .....	14,050,785		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Total Public Health, Depart-			
2 ment of .....	14,050,785		14,050,785
3			
4 <b>30. Rainy Day Account, ETF:</b>			
5 (a) Proration Prevention Pro-			
6 gram .....	71,993,229		71,993,229
7 SOURCE OF FUNDS:			
8 (1) ETF-Transfer .....	71,993,229		
9 Total Rainy Day Account, ETF	71,993,229		71,993,229
10 To complete the repayment (in			
11 full) of the funds withdrawn			
12 from the ETF Rainy Day Account			
13 in FY 2003.			
14 <b>31. Rehabilitation Services, De-</b>			
15 <b>partment of:</b>			
16 (a) Direct Client Services for			
17 the Handicapped Program ...	37,719,323	109,101,340	146,820,663
18 The proposed spending plan for			
19 the ETF monies included in the			
20 above program is as follows:			
21 Homebound .... 5,328,677			
22 Hemophilia ... 1,560,958			
23 Children's Re-			
24 habilitation			
25 Services ..... 12,957,894			
26 Of the above appropriation the			
27 agency will pay to each hospi-			
28 tal the standard per diem paid			
29 by the state medicaid agency			
30 for services relating to			
31 scoliosis and spina bifida			
32 medical care.			
33 Education of			
34 Dependents of			
35 Blind Parents 12,750			
36 The above appropriation shall			
37 be allocated for reimbursement			
38 to every state institution of			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	higher learning, college, uni-			
2	versity, community college, or			
3	junior college, in which bene-			
4	fits are given to dependents			
5	of blind parents under the			
6	provisions of Code of Alabama			
7	1975, Sections 16-33-1 through			
8	16-33-12.			
9	Rehabilitation			
10	Services .....	11,741,069		
11	Of the above appropriation,			
12	\$100,000 shall be expended for			
13	Teaching Children With Dis-			
14	abilities.			
15	Early Intervon-			
16	tion Program .	4,883,177		
17	Respite Related			
18	Services and			
19	Training .....	50,000		
20	Rehabilitation			
21	Projects .....	1,184,798		
22	SOURCE OF FUNDS:			
23	(1) ETF .....	37,719,323		
24	(2) Federal and Local Funds .		107,578,266	
25	(3) Impaired Drivers Trust			
26	Fund .....		1,523,074	
27	Total Rehabilitation Services,			
28	Department of .....	37,719,323	109,101,340	146,820,663
29	It is the intent of the Legis-			
30	lature that the above appro-			
31	priation to the Department of			
32	Rehabilitation Services - Re-			
33	habilitation Projects may be			
34	used to contract with provid-			
35	ers for cerebrai palsy ser-			
36	vices.			
37	<b>32. Scholarships:</b>			
38	(a) Dental Scholarship Awards,			
39	Board of .....	185,000		185,000

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Support of Other Educational			
2 Activities Program, to be ex-			
3 pended under the provisions of			
4 Code of Alabama 1975, Sections			
5 16-47-76 through 16-47-81.			
6 (b) Medical Scholarship			
7 Awards, Board of .....	1,300,000	400,000	1,700,000
8 Support of Other Educational			
9 Activities Program, to be ex-			
10 pended under the provisions of			
11 Code of Alabama 1975, Sections			
12 16-47-121 through 16-47-129.			
13 (c) Optometric Scholarship			
14 Awards, Board of .....	188,000		188,000
15 Support of Other Educational			
16 Activities Program, to be ex-			
17 pended under the provisions of			
18 Code of Alabama 1975, Sections			
19 34-22-60 through 34-22-65.			
20 (d) Chiropractic Scholarships	32,000		32,000
21 To be expended in accordance			
22 with Code of Alabama 1975,			
23 Section 16-5-11.			
24 (e) Nursing, Board of .....	57,000		57,000
25 As provided in Code of Alabama			
26 1975, Sections 34-12-60			
27 through 34-21-63 for Graduate			
28 Nursing Scholarships.			
29 SOURCE OF FUNDS:			
30 (1) ETF .....	1,762,000		
31 (2) Federal and Local Funds		400,000	
32 Total Scholarships .....	1,762,000	400,000	2,162,000
33 <b>33. Sickle Cell Oversight and</b>			
34 <b>Regulatory Commission, Ala-</b>			
35 <b>bama:</b>			
36 (a) Support of Other Educa-			
37 tional Activities Program	1,544,269		1,544,269
38 Of the above appropriation to			
39 the Alabama Sickle Cell and			
40 Regulatory Commission, the sum			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 of \$35,000 shall be used to			
2 fund travel and other expenses			
3 of the Alabama Sickle Cell			
4 Oversight and Regulatory Com-			
5 mission and \$1,509,269 shall			
6 be used to fund university and			
7 community-based Sickle Cell			
8 programs which were funded			
9 from the ETF budget in FY			
10 2000. These funds shall be			
11 distributed proportionately to			
12 the distribution made in FY			
13 2003.			
14 SOURCE OF FUNDS:			
15 (1) ETF .....	1,544,269		
16 Total Sickle Cell Oversight			
17 and Regulatory Commission,			
18 Alabama .....	1,544,269		1,544,269
19 <b>34. Space Science Exhibit Commis-</b>			
20 <b>sion, Alabama:</b>			
21 (a) Special Services Program	500,000	25,760,000	26,260,000
22 SOURCE OF FUNDS:			
23 (1) ETF .....	500,000		
24 (2) Federal and Local Funds		25,760,000	
25 Total Space Science Exhibit			
26 Commission, Alabama .....	500,000	25,760,000	26,260,000
27 <b>35. Supercomputer Authority, Ala-</b>			
28 <b>bama:</b>			
29 (a) Administrative Support			
30 Services Program .....	6,202,328	2,340,000	8,542,328
31 The above appropriation is to			
32 be expended in accordance with			
33 Sections 41-10-390 through			
34 41-10-406, Code of Alabama			
35 1975.			
36 SOURCE OF FUNDS:			
37 (1) ETF-Transfer .....	6,202,328		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(2) Supercomputer Revolving			
2	Fund, Estimated .....		2,340,000	
3	Total Supercomputer Authority,			
4	Alabama .....	6,202,328	2,340,000	8,542,328
5	The Supercomputer Authority			
6	shall coordinate with the Gov-			
7	ernor's Office of Information			
8	Technology. At least \$2 mil-			
9	lion of these funds shall be			
10	used for connectivity pur-			
11	poses. In addition to the			
12	above appropriation for the			
13	Alabama Supercomputer Author-			
14	ity, there is hereby appropri-			
15	ated the sum of \$1,000,000			
16	from the ETF to the Alabama			
17	Supercomputer Authority to be			
18	conditioned upon the avail-			
19	ability of funds in the ETF,			
20	the recommendation of the Di-			
21	rector of Finance, and the			
22	approval of the Governor.			
23	<b>36. Veterans' Affairs, Department</b>			
24	<b>of:</b>			
25	(a) Administration of Veter-			
26	ans' Affairs Program .....	3,045,228		3,045,228
27	(b) Student Financial Aid Pro-			
28	gram, Estimated .....	18,227,500		18,227,500
29	For reimbursement to every			
30	state institution of higher			
31	learning, college, university,			
32	community college, junior col-			
33	lege or technical college in			
34	which benefits are given to			
35	veterans, their spouses, wid-			
36	ows, or children under the			
37	provisions of Code of Alabama			
38	1975, Sections 31-6-1 through			
39	31-6-17.			
40	SOURCE OF FUNDS:			
41	(1) ETF .....	21,272,728		
42	Total Veterans' Affairs, De-	21,272,728		21,272,728

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	partment of .....			
2	<b>37. Youth Services, Department</b>			
3	<b>of:</b>			
4	(a) Financial Assistance Pro-			
5	gram (School District) ....	7,510,855	1,061,441	8,572,296
6	The above appropriation shall			
7	be expended by the Youth Ser-			
8	vices Department District in a			
9	manner consistent with the			
10	funding formula cooperatively			
11	established by the Youth Ser-			
12	vices Board and the State			
13	Board of Education pursuant to			
14	the provisions of the Code of			
15	Alabama 1975, Sections 44-1-70			
16	through 44-1-77.			
17	(b) Youth Services Program ..	45,892,800	7,938,135	53,830,935
18	SOURCE OF FUNDS:			
19	(1) ETF .....	53,403,655		
20	(2) Federal and Local Funds ..		8,999,576	
21	Total Youth Services, Depart-			
22	ment of .....	53,403,655	8,999,576	62,403,231
23	<b>3C. Colleges and Universities:</b>			
24	<b>1. Alabama Agricultural and</b>			
25	<b>Mechanical University, Board</b>			
26	<b>of Trustees:</b>			
27	(a) Operations and Maintenance			
28	and Program Support .....	38,452,521	38,230,492	76,683,013
29	Of the above appropriation to			
30	Alabama A and M University,			
31	\$50,000 shall be expended for			
32	the Black Archives Museum.			
33	(b) Extension-Urban Affairs			
34	and New Non-Traditional Land			
35	Grant Programs .....	3,769,987		3,769,987
36	(c) Agricultural Research Sta-			
37	tion Fixed Costs .....	300,000		300,000
38	(d) Auxiliary Enterprises ...		10,498,901	10,498,901

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(e) Restricted Funds .....		31,207,240	31,207,240
2	(f) Agricultural Research and			
3	Extension-State Match .....	1,501,585		1,501,585
4	SOURCE OF FUNDS:			
5	(1) ETF .....	44,024,093		
6	(2) Federal and Other Funds ..		79,936,633	
7	Total Alabama Agricultural and			
8	Mechanical University, Board			
9	of Trustees .....	44,024,093	79,936,633	123,960,726
10	<b>2. Alabama A and M University,</b>			
11	<b>Board of Trustees-Miles Col-</b>			
12	<b>lege Consortium:</b>			
13	(a) Alabama A and M Univer-			
14	sity-Miles College Consor-			
15	tium .....	353,252		353,252
16	SOURCE OF FUNDS:			
17	(1) ETF .....	353,252		
18	Total Alabama A and M Univer-			
19	sity, Board of Trustees-Miles			
20	College Consortium .....	353,252		353,252
21	<b>3. Alabama State University,</b>			
22	<b>Board of Trustees:</b>			
23	(a) Operations and Maintenance			
24	and Program Support .....	40,729,042	37,842,326	78,571,368
25	Of the above appropriation,			
26	\$750,000 shall be expended for			
27	Cooperative Efforts to Enhance			
28	Community Educational Institu-			
29	tions; \$200,000 shall be ex-			
30	pended for dormitory renova-			
31	tions; and at least \$2 million			
32	shall be expended for in-			
33	creases in salaries.			
34	(b) Title VI Program Enhance-			
35	ment .....	1,657,477		1,657,477
36	The proposed spending plan for			
37	the above Title VI Program			
38	Enhancement appropriation is			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	as follows:			
2	Consultants and			
3	Faculty .....	462,264		
4	Instructional			
5	Support .....	1,195,213		
6	(c) Desegregation Planning ..	184,906		184,906
7	The above appropriations in			
8	Title VI Program Enhancement			
9	and Desegregation Planning			
10	from the ETF are to be re-			
11	leased and used as restricted			
12	by and in compliance with			
13	Knight v. Alabama, Civil Ac-			
14	tion CV 83-M-1676, 900 F Supp			
15	272.			
16	(d) Auxiliary Enterprises ...		9,176,627	9,176,627
17	(e) Restricted Funds .....		30,191,294	30,191,294
18	SOURCE OF FUNDS:			
19	(1) ETF .....	42,571,425		
20	(2) Federal and Other Funds ..		77,210,247	
21	Total Alabama State Univer-			
22	sity, Board of Trustees .....	42,571,425	77,210,247	119,781,672
23	<b>4. Alabama, University of,</b>			
24	<b>Board of Trustees:</b>			
25	(a) Operations and Maintenance			
26	and Program Support for the			
27	University of Alabama at			
28	Tuscaloosa .....	171,299,493	174,301,742	345,601,235
29	The President of the Univer-			
30	sity of Alabama shall imple-			
31	ment a Workforce Development			
32	plan utilizing the existing			
33	Minority Technology Network.			
34	Of the above appropriation to			
35	the University of Alabama at			
36	Tuscaloosa, \$100,000 shall be			
37	expended for the Special Out-			
38	reach Program. Of the above			
39	appropriation, \$500,000 more			
40	than expended in FY 2006 shall			
41	be allocated and expended for			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	the Minority Technology Net-			
2	work.			
3	(b) Operations and Maintenance			
4	and Program Support for the			
5	University of Alabama at			
6	Birmingham .....	306,529,308	1,136,189,531	1,442,718,839
7	Of the above appropriation,			
8	\$200,000 shall be expended for			
9	the Summer Healthcare Enrich-			
10	ment Program; \$500,000 shall			
11	be expended for the Department			
12	of Emergency Medicine to ad-			
13	dress needed critical improve-			
14	ments in statewide emergency			
15	physician training and trauma			
16	system development; \$500,000			
17	shall be expended for the Mi-			
18	nority Business Train-			
19	ing-Economic Development Pro-			
20	gram; and \$150,000 shall be			
21	expended for the Gregory Flem-			
22	ing James Cystic Fibrosis Pro-			
23	gram..			
24	(c) Operations and Maintenance			
25	and Program Support for the			
26	University of Alabama in			
27	Huntsville .....	50,675,495	42,687,718	93,363,213
28	(d) Special Mental Health and			
29	Chauncey Sparks Center for			
30	Developmental and Learning			
31	Disorders, University of			
32	Alabama at Birmingham (ETF)	4,132,177		4,132,177
33	In addition to the above ap-			
34	propriation, there is hereby			
35	appropriated \$166,519 for the			
36	Special Mental Health and			
37	Chauncey Sparks Center for			
38	Developmental and Learning			
39	Disorders from the ETF to be			
40	conditioned upon the avail-			
41	ability of funds in the ETF,			
42	the recommendation of the Di-			
43	rector of Finance, and the			
44	approval of the Governor.			
45	(e) School of Optometry			
46	Fund-Transfer to University		70,000	70,000

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 of Alabama at Birmingham			
2 School of Optometry .....			
3 (f) Auxiliary Enterprises ...		124,182,822	124,182,822
4 (g) Restricted Funds .....		496,052,000	496,052,000
5 SOURCE OF FUNDS:			
6 (1) ETF .....	532,636,473		
7 (2) Federal and Other Funds .		1,973,483,813	
8 Total Alabama, University of,			
9 Board of Trustees .....	532,636,473	1,973,483,813	2,506,120,286
10 5. Auburn University, Board of			
11 Trustees:			
12 (a) Operations and Maintenance			
13 and Program Support, Auburn			
14 University .....	188,563,780	234,881,992	423,445,772
15 Of the above appropriation,			
16 \$1,000,000 shall be expended			
17 for the School of Pharmacy for			
18 biotechnical drug development			
19 and enhancing pharmaceutical			
20 science research leading to			
21 new drugs, which is complimen-			
22 tary to other biomedical re-			
23 search underway in Alabama,			
24 \$150,000 shall be expended to			
25 provide economic research ser-			
26 vices to the State of Alabama,			
27 Department of Finance and			
28 \$200,000 shall be expended for			
29 fire ant eradication/research			
30 at the Department of Entomol-			
31 ogy.			
32 (b) Auxiliary Enterprises ...		76,739,524	76,739,524
33 (c) Restricted Funds .....		96,567,634	96,567,634
34 (d) Operations and Maintenance			
35 and Program Support, Alabama			
36 Agricultural Experiment Sta-			
37 tion .....	34,730,026	4,563,242	39,293,268
38 (e) Operations and Maintenance			
39 and Program Support, Alabama			
40 Cooperative Extension System			
41 (ETF) .....	37,515,680		37,515,680

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (f) Operations and Maintenance			
2 and Program Support, Auburn			
3 University at Montgomery .	27,210,846	22,874,932	50,085,778
4 Of the above appropriation to			
5 Auburn University at Montgom-			
6 ery, \$287,500 shall be ex-			
7 pended for the Statewide Eco-			
8 nomic Resources Initiative			
9 Education Support			
10 (S.E.R.I.E.S.) Program to pro-			
11 vide a statewide economic im-			
12 pact education support system			
13 dedicated to providing techno-			
14 logical capabilities to gov-			
15 ernment agencies; \$150,000			
16 shall be expended for the fur-			
17 ther implementation of SMART			
18 Governing; and \$150,000 shall			
19 be expended for the GAAT/CPM			
20 Program.			
21 SOURCE OF FUNDS:			
22 (1) ETF .....	288,020,332		
23 (2) Federal and Other Funds .		435,627,324	
24 Total Auburn University, Board			
25 of Trustees .....	288,020,332	435,627,324	723,647,656
26 6. Education, State Board of -			
27 Athens State University:			
28 (a) Operations and Maintenance			
29 and Program Support .....	13,463,281	9,732,682	23,195,963
30 Of the above appropriation,			
31 \$100,000 shall be expended for			
32 the McCandless Hall Restora-			
33 tion Project.			
34 (b) Auxiliary Enterprises ...		191,000	191,000
35 (c) Restricted Funds .....		12,469,812	12,469,812
36 SOURCE OF FUNDS:			
37 (1) ETF .....	13,463,281		
38 (2) Federal and Other Funds .		22,393,494	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Total Education, State Board			
2 of - Athens State University	13,463,281	22,393,494	35,856,775
3 <b>7. Jacksonville State Univer-</b>			
4 <b>sity, Board of Trustees:</b>			
5 (a) Operations and Maintenance			
6 and Program Support .....	42,714,403	42,041,813	84,756,216
7 Of the above appropriation,			
8 \$1,200,000 shall be expended			
9 by the Alabama Small Business			
10 Institute of Commerce.			
11 (b) Auxiliary Enterprises ...		5,610,000	5,610,000
12 (c) Restricted Funds .....		19,025,000	19,025,000
13 SOURCE OF FUNDS:			
14 (1) ETF .....	42,714,403		
15 (2) Federal and Other Funds ..		66,676,813	
16 Total Jacksonville State Uni-			
17 versity, Board of Trustees ..	42,714,403	66,676,813	109,391,216
18 <b>8. Montevallo, University of,</b>			
19 <b>Board of Trustees:</b>			
20 (a) Operations and Maintenance			
21 and Program Support .....	20,928,835	15,703,712	36,632,547
22 (b) Auxiliary Enterprises ...		4,669,428	4,669,428
23 (c) Restricted Funds .....		5,044,883	5,044,883
24 SOURCE OF FUNDS:			
25 (1) ETF .....	20,928,835		
26 (2) Federal and Other Funds ..		25,418,023	
27 Total Montevallo, University			
28 of, Board of Trustees .....	20,928,835	25,418,023	46,346,858
29 In addition to the above ap-			
30 propriation for the University			
31 of Montevallo, there is hereby			
32 appropriated the sum of			
33 \$350,000 from the ETF to the			
34 University of Montevallo to be			
35 conditioned upon the avail-			
36 ability of funds in the ETF,			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	the recommendation of the Di-			
2	rector of Finance, and the			
3	approval of the Governor.			
4	<b>9. North Alabama, University</b>			
5	<b>of, Board of Trustees:</b>			
6	(a) Operations and Maintenance			
7	and Program Support .....	29,783,495	27,160,367	56,943,862
8	(b) Auxiliary Enterprises ...		6,739,367	6,739,367
9	(c) Restricted Funds .....		2,349,100	2,349,100
10	SOURCE OF FUNDS:			
11	(1) ETF .....	29,783,495		
12	(2) Federal and Other Funds ..		36,248,834	
13	Total North Alabama, Univer-			
14	sity of, Board of Trustees ..	29,783,495	36,248,834	66,032,329
15	In addition to the above ap-			
16	propriation for the University			
17	of North Alabama, there is			
18	hereby appropriated the sum of			
19	\$350,000 from the ETF to the			
20	University of North Alabama to			
21	be conditioned upon the avail-			
22	ability of funds in the ETF,			
23	the recommendation of the Di-			
24	rector of Finance, and the			
25	approval of the Governor.			
26	<b>10. South Alabama, University of,</b>			
27	<b>Board of Trustees:</b>			
28	(a) Operations and Maintenance			
29	and Program Support .....	120,388,263	341,326,072	461,714,335
30	Of the above appropriation,			
31	\$250,000 shall be expended for			
32	the Cancer Research Institute			
33	and \$500,000 shall be expended			
34	at the USA Center for Strate-			
35	gic Health Innovations.			
36	(b) Auxiliary Enterprises ...		16,149,675	16,149,675
37	(c) Restricted Funds .....		51,750,000	51,750,000
38	SOURCE OF FUNDS:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF .....	120,388,263		
2	(2) Federal and Other Funds .		409,225,747	
3	Total South Alabama, Univer-			
4	sity of, Board of Trustees ..	120,388,263	409,225,747	529,614,010
5	<b>11. Troy University System, Board</b>			
6	<b>of Trustees:</b>			
7	(a) Operations and Maintenance			
8	and Program Support for Troy			
9	University System .....	52,067,717	139,443,149	191,510,866
10	(b) Auxiliary Enterprises ...		6,613,617	6,613,617
11	(c) Restricted Funds .....		10,083,069	10,083,069
12	SOURCE OF FUNDS:			
13	(1) ETF .....	52,067,717		
14	(2) Federal and Other Funds .		156,139,835	
15	Total Troy University System,			
16	Board of Trustees .....	52,067,717	156,139,835	208,207,552
17	<b>12. West Alabama, University of,</b>			
18	<b>Board of Trustees:</b>			
19	(a) Operations and Maintenance			
20	and Program Support .....	14,364,841	8,013,521	22,378,362
21	Of the above appropriation,			
22	\$420,000 shall be expended for			
23	the Alabama Medical Education			
24	Consortium also known as Medi-			
25	cal School Without Walls and			
26	\$250,000 shall be expended for			
27	the Economic and Small Busi-			
28	ness Development Program..			
29	(b) Auxiliary Enterprises ...		2,850,000	2,850,000
30	(c) Restricted Funds .....		658,777	658,777
31	SOURCE OF FUNDS:			
32	(1) ETF .....	14,364,841		
33	(2) Federal and Local Funds .		11,522,298	
34	Total West Alabama, University	14,364,841	11,522,298	25,887,139

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 of, Board of Trustees .....			
2 3D. Other:			
3 1. Deaf and Blind, Alabama In-			
4 stitute for, Board of Trust-			
5 ees:			
6 (a) Adult Programs .....	10,512,827	5,893,408	16,406,235
7 (b) Children and Youth Pro-			
8 grams .....	28,729,949	3,663,388	32,393,337
9 (c) Industries for the Blind	8,322,116	20,717,541	29,039,657
10 (d) Ear Institute Program ...	125,000		125,000
11 SOURCE OF FUNDS:			
12 (1) ETF .....	47,689,892		
13 (2) Federal and Other Funds .		30,274,337	
14 Total Deaf and Blind, Alabama			
15 Institute for, Board of Trust-			
16 ees .....	47,689,892	30,274,337	77,964,229
17 2. Knight v. Alabama - Finan-			
18 cial Obligations:			
19 (a) Operations and Maintenance			
20 and Program Support, Esti-			
21 mated .....	10,503,783		10,503,783
22 Included in the above appro-			
23 priation, the following pro-			
24 grams shall be funded:			
25 Alabama State			
26 University Mas-			
27 ter of Accoun-			
28 tancy Program 142,232			
29 Based on funding formula cal-			
30 culations provided by the Ala-			
31 bama Commission on Higher Edu-			
32 cation. This appropriation is			
33 the seventh year of eight			
34 years of funding for this pro-			
35 gram.			
36 Health Informa-			
37 tion Management			
38 Program ..... 445,634			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Based on funding formula cal-		
2	culations provided by the Ala-		
3	bama Commission on Higher Edu-		
4	cation. This appropriation is		
5	the seventh year of eight		
6	years of funding for this pro-		
7	gram.		
8	Occupational		
9	Therapy Program		
10	.....	537,255	
11	Based on funding formula cal-		
12	culations provided by the Ala-		
13	bama Commission on Higher Edu-		
14	cation. This appropriation is		
15	the seventh year of eight		
16	years of funding for this pro-		
17	gram.		
18	Physical Ther-		
19	apy Program ..	1,282,976	
20	Based on funding formula cal-		
21	culations provided by the Ala-		
22	bama Commission on Higher Edu-		
23	cation. This appropriation is		
24	the seventh year of eight		
25	years of funding for this pro-		
26	gram.		
27	Edd Educational		
28	Leadership,		
29	Policy & Law	2,182,400	
30	Based on funding formula cal-		
31	culations provided by the Ala-		
32	bama Commission on Higher Edu-		
33	cation. This appropriation is		
34	the fifth year of eight years		
35	of funding for this program.		
36	SOURCE OF FUNDS:		
37	(1) ETF .....	10,503,783	
38	Total Knight v. Alabama - Fi-		
39	nancial Obligations .....	10,503,783	10,503,783
40	To be allocated and expended		
41	in accordance with the 1995		
42	Remedial Decree in Knight v.		

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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Alabama, Civil Action CV  
83-M-1676, 900 F Supp 272.

Section 4. It is the intent that each public four-year and two-year higher education institution make its best effort to use the equivalent of ten percent of its federal work study allocations for the purpose of tutoring and mentoring students in grades K-12 to better prepare them for graduation, college entry and retention. Institutions shall work with their respective governing boards to develop and implement this effort.

Section 5. The appropriations made herein to an agency or entity is for the valid purposes and/or operation and maintenance of that agency or entity. There shall be no pass-through appropriation by that agency or entity at the direction of any member of the legislative, executive or judicial branch of government. The director of any agency or entity that is directed by a member of the legislative, executive or judicial branch of government to pass-through an appropriation to another state or non-state entity shall report such directive to the Chairs of the House Education Finance and Appropriations Committee and the Senate Finance and Taxation-Education Committee. Nothing in this section is intended to prohibit a legislator or any other person from

1 asking for or asking about the status of a project that falls  
2 within the legal purpose or function of that agency.

3 Section 6. In addition to the appropriations herein  
4 made, all gifts, grants, contributions, insurance proceeds or  
5 entitlements, in excess of the amount carried in this act,  
6 including grants by the Congress of the United States,  
7 municipalities or counties, to any department, division,  
8 board, bureau, commission, agency, institution, office or  
9 officer of the State of Alabama are hereby appropriated and,  
10 in the event the same are recurring, are reappropriated to  
11 such department, division, board, bureau, commission, agency,  
12 institution, office or officer to be used only for the purpose  
13 or purposes for which the grant or contribution was or shall  
14 be made. Further, all state, county, municipal and educational  
15 entities are authorized to disburse such sums as deemed  
16 necessary by mutual agreement between said entities and the  
17 State of Alabama, Department of Examiners of Public Accounts  
18 to partially defray the cost of auditing services performed by  
19 said agency. All such sums are hereby appropriated and  
20 reappropriated if necessary to the Department of Examiners of  
21 Public Accounts for audit services, to be expended through the  
22 fund established by Section 41-5-24, Code of Alabama 1975.

23 Section 7. The State Superintendent of Education  
24 shall make requisitions to the State Comptroller in favor of  
25 the proper beneficiary in accordance with the law and rules

1 and regulations governing the expenditure or disbursement of  
2 any and all funds appropriated to the State Department of  
3 Education and/or the State Board of Education in this act,  
4 whereupon the Comptroller shall issue his warrant therefor.  
5 All other appropriations in this act shall be paid after  
6 proper requisitions are made to the State Comptroller in the  
7 manner now provided by law.

8           Section 8. Nothing in this act shall be construed to  
9 affect or repeal any law authorizing or permitting any  
10 college, school or other education or eleemosynary institution  
11 of the State to receive, collect or disburse any fees,  
12 tuitions, charges, sales, endowments, trusts or income  
13 therefrom, which are now or may hereafter be authorized to  
14 receive, collect or disburse. The receiving college, school or  
15 institution shall further maintain separate accounts for such  
16 receipts or shall maintain a system of accounting which will  
17 show a cash flow of such receipts received under the provision  
18 of this appropriation.

19           Section 9. The appropriations made herein to the  
20 departments, boards, offices, commissions, and agencies  
21 include the amount necessary and said departments, boards,  
22 offices, commissions, and agencies are hereby directed to make  
23 the transfer of funds to the State Personnel Department in the  
24 amounts enumerated in the general appropriations act for the  
25 fiscal year ending September 30, 2007. All agencies and

1 institutions enumerated in this act that receive services from  
2 other governmental agencies enumerated in this act or the  
3 general appropriations act shall make full payment in a timely  
4 manner (as determined by the Department of Finance) for such  
5 services.

6 Section 10. All encumbered balances of a previous  
7 fiscal year appropriation other than the exclusions authorized  
8 by the Code of Alabama 1975, Section 41-4-93, shall lapse no  
9 later than September 30 of the fiscal year immediately  
10 following the fiscal year for which the appropriation was made  
11 and shall revert to the credit of the ETF or earmarked fund  
12 from which the appropriation or appropriations were made.

13 Section 11. Upon certification to the Director of  
14 Finance by the State Attorney General that a federal court has  
15 ordered the State of Alabama to pay claims, attorney fees, or  
16 other costs relating to said court order, funds are hereby  
17 appropriated to the affected department, board, bureau, or  
18 commission in the amount necessary to satisfy that court  
19 order. Such appropriations are in addition to any other  
20 appropriation heretofore or hereafter made in this  
21 appropriation act. Such appropriations are conditioned upon  
22 the availability of funds and a determination by the Director  
23 of Finance that other current appropriations are not available  
24 for court-ordered payments.

1           Section 12. All state-mandated and state-funded  
2 salary increases and fringe benefits for Child Nutrition  
3 Program workers shall be fully-funded from the Foundation  
4 Program appropriation in this act, and shall therefore be  
5 subsequently fully-funded by all local boards of education  
6 from funds provided in this act from Other Current Expense and  
7 not from funds generated by the Child Nutrition Program unless  
8 the local school system's Child Nutrition Program has in  
9 excess of a three-month operating reserve. Before any funds  
10 may be utilized by the local board of education to pay for  
11 salary or fringe benefits, the State Department of Education  
12 Child Nutrition Program Administrator shall conduct an  
13 analysis of each local board of education's Child Nutrition  
14 Program, and certify that the program meets the three-month  
15 balance as of the end of the previous fiscal year and shall  
16 therefore insure that the use of the funds in excess of a  
17 three-month balance will not be detrimental to the local Child  
18 Nutrition Program. The State Department of Education Child  
19 Nutrition Program Administrator shall certify to the State  
20 Superintendent of Education that funds utilized in excess of a  
21 three-month balance as of the end of the previous fiscal year  
22 are in excess of any funds contained in an approved corrective  
23 plan submitted by the local school system's Child Nutrition  
24 Program for expenditures at each applicable school site for  
25 facilities, equipment, personnel, and/or salary schedule

1 adjustments. It is the intent that no employee shall suffer a  
2 reduction of hours, benefits, compensation, or termination of  
3 employment and that no local Child Nutrition Program services  
4 shall be contracted out as a result of this section. It is  
5 further the intent of the Legislature that the State  
6 Department of Education shall help to develop a plan to  
7 eliminate any financial deficiencies that may arise in a local  
8 Child Nutrition Program as a result of this section, and that  
9 disputes which may arise regarding corrective action plans are  
10 to be resolved by the State Department of Education  
11 consolidated monitoring teams. The State Department of  
12 Education shall give an annual report to the Legislature one  
13 month prior to each regular session of the Legislature on the  
14 impact of this section on the local Child Nutrition Programs.

15 Section 13. No funds provided herein for the public  
16 schools shall be used for the payment of any salaries of  
17 personnel which are not under the direct control, employment,  
18 and supervision of local boards of education; provided,  
19 however, that this section shall not apply to the  
20 construction, renovation, or major repair of buildings or  
21 other capital improvements which are beyond the capacity of  
22 regular employees to perform.

23 Section 14. Pursuant to the requirement that the  
24 Legislature certify the anticipated and appropriated beginning  
25 balance for FY 2007, the amount anticipated and appropriated

1 by the Legislature is \$440,763,827. In the event the beginning  
2 balance on October 1, 2006, in the ETF exceeds \$440,763,827,  
3 Section 40-1-32.1 to the contrary notwithstanding, 75% of any  
4 balance in excess of \$440,763,827 shall be transferred by the  
5 State Comptroller into the Education Trust Fund Proration  
6 Prevention Account created by Section 40-1-32.1.

7 Section 15. If any section, paragraph, sentence,  
8 clause, provision or portion of this act or all or any portion  
9 of the appropriations herein made is held unconstitutional or  
10 invalid, it shall not affect any other section, paragraph,  
11 sentence, clause, provision or portion of this act or any  
12 other appropriation or appropriations or portion thereof  
13 hereby made not in and of itself unconstitutional or invalid.

14 Section 16. All laws or parts of laws, general,  
15 special, private or local in conflict with or inconsistent  
16 with the provisions of this act are hereby expressly repealed.

17 Section 17. This act shall become effective on  
18 October 1, 2006.

*Speaker of the House of Representatives*

Speaker of the House of Representatives

*President and Presiding Officer of the Senate*

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 16-FEB-06, as amended.

Greg Pappas  
Clerk

Senate	07-MAR-06	Amended and Passed
House	09-MAR-06	Concurred in Senate Amendment
House	29-MAR-06	Passed, the Governor's objections to the contrary notwithstanding
		Yeas 63, Nays 38
Senate	30-MAR-2006	Passed, the Governor's objections to the contrary notwithstanding

Yeas 26, Nays 9

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