HB213
92354–2
By Representative Lindsey
RFD: Education Appropriations
First Read: 06–MAR–07
ENROLLED, An Act,

To make appropriations for the support, maintenance
and development of public education in Alabama, for debt
service, and for capital outlay for the fiscal year ending
September 30, 2008.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the
support of public education in Alabama for the fiscal year
ending September 30, 2008, for debt service, and for capital
outlay to be paid out of funds specified in subsection (a) of
Section 2 of this act, the amounts specified in subsections
(a), (b), (c), and (d) of Section 3 of this act. For the
purpose specified in subsection (b) of Section 2 of this act,
amounts are shown by programmatic area and the total for all
programs is shown so as to include estimated sources of funds
other than those listed in subsection (a) of Section 2 of this
act. For the purpose of this act, "ETF" shall mean the
Education Trust Fund and "Federal and Local Funds" shall mean
all gifts, grants, contributions, or entitlements, including
grants by the Congress of the United States, municipalities or
counties.

Section 2. (a) The appropriations provided for in
this act shall be paid from funds in the State Treasury to the
credit of the Education Trust Fund, Alabama Peace Officers'
Standards and Training Fund, Impaired Drivers Trust Fund, Driver Education and Training Fund, Special Education Catastrophic Fund, Alabama Veterans Assistance Fund, and Public School Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 2008, and the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Code of Alabama 1975, Sections 41-4-80 et seq.), the provisions of the Budget Management Act of 1976 (Code of Alabama 1975, Sections 41-19-1 et seq.), and shall be in the amounts hereinafter specified.

(b) Amounts shown hereinunder the columns "Earmarked Funds" and "Appropriation Total" are as set forth for the purpose of establishing amounts estimated to be available by programmatic area from sources other than those listed in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for an efficient use of funds available, and the same are hereby appropriated by the Legislature. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.
Section 3.

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3A. Legislative Branch:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1. Examiners of Public Accounts:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Audit Services Program</td>
<td>7,966,278</td>
<td>7,966,278</td>
</tr>
<tr>
<td><strong>SOURCE OF FUNDS:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>7,966,278</td>
<td></td>
</tr>
<tr>
<td><strong>Total Examiners of Public Accounts:</strong></td>
<td>7,966,278</td>
<td>7,966,278</td>
</tr>
<tr>
<td>The above appropriation shall be used for educational audits. The Department of Examiners of Public Accounts is hereby authorized to examine as deemed necessary all appropriations herein made for compliance with the laws of the State of Alabama. Any examination performed shall be in accordance with the provisions of Title 41, Chapter 5, Code of Alabama 1975.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2. Law Institute, Alabama:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Support of Other Educational Activities Program</td>
<td>224,087</td>
<td>224,087</td>
</tr>
<tr>
<td><strong>SOURCE OF FUNDS:</strong></td>
<td></td>
<td></td>
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<tr>
<td>(1) ETF</td>
<td>224,087</td>
<td></td>
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<tr>
<td><strong>Total Law Institute, Alabama</strong></td>
<td>224,087</td>
<td>224,087</td>
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<tr>
<td><strong>3. Legislative Fiscal Office:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Legislative Operations and Support Program</td>
<td>297,787</td>
<td>297,787</td>
</tr>
<tr>
<td><strong>SOURCE OF FUNDS:</strong></td>
<td></td>
<td></td>
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<td></td>
<td>Education Trust Fund</td>
<td>Earmarked Funds</td>
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<tr>
<td>---</td>
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<td>-----------------</td>
</tr>
<tr>
<td>1</td>
<td>(1) ETF ..................</td>
<td>297,787</td>
</tr>
<tr>
<td>2</td>
<td>Total Legislative Fiscal Office</td>
<td>297,787</td>
</tr>
<tr>
<td>4</td>
<td><strong>Legislative Reference Service:</strong></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>(a) Legislative Operations and Support Program ............</td>
<td>113,160</td>
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<td>8</td>
<td>SOURCE OF FUNDS:</td>
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<tr>
<td>9</td>
<td>(1) ETF ..................</td>
<td>113,160</td>
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<tr>
<td>10</td>
<td>Total Legislative Reference Service .......................</td>
<td>113,160</td>
</tr>
<tr>
<td>12</td>
<td>This appropriation to the Legislative Reference Service shall be expended for the revision of Title 16 of the Code of Alabama 1975.</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td><strong>3B. Executive Branch:</strong></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td><strong>1. American Legion and Auxiliary Scholarships:</strong></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>(a) Financial Assistance Program, Estimated ..................</td>
<td>112,500</td>
</tr>
<tr>
<td>22</td>
<td>SOURCE OF FUNDS:</td>
<td></td>
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<tr>
<td>23</td>
<td>(1) ETF ..................</td>
<td>112,500</td>
</tr>
<tr>
<td>24</td>
<td>Total American Legion and Auxiliary Scholarships ..........</td>
<td>112,500</td>
</tr>
<tr>
<td>26</td>
<td>To be expended under the provisions of Code of Alabama 1975, Sections 16-31-1 through 16-31-4.</td>
<td></td>
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<tr>
<td>30</td>
<td><strong>2. Archives and History, Department of:</strong></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>(a) Historical Resources Management Program ..................</td>
<td>4,504,529</td>
</tr>
<tr>
<td>34</td>
<td>SOURCE OF FUNDS:</td>
<td></td>
</tr>
</tbody>
</table>
(1) ETF ........................ 4,504,529

Total Archives and History, Department of ........................ 4,504,529 4,504,529

The above appropriation shall be expended to support the educational functions of Archives and History.

3. Arts, State Council on the:
   (a) Fine Arts Program ........ 5,823,785 735,000 6,558,785

SOURCE OF FUNDS:
   (1) ETF ........................ 5,823,785
   (2) Federal and Local Funds . 735,000

Total Arts, State Council on the ................................. 5,823,785 735,000 6,558,785

4. Building Commission, State:
   (a) Special Services Program 796,971

SOURCE OF FUNDS:
   (1) ETF-Transfer ............... 796,971

Total Building Commission, State ............................... 796,971

5. Child Abuse and Neglect Prevention, Department of:
   (a) Social Services Program . 2,198,349 2,198,349

In accordance with Sections 26-16-1 et seq., Code of Alabama 1975.

SOURCE OF FUNDS:
   (1) ETF-Transfer ............... 2,198,349

Total Child Abuse and Neglect Prevention, Department of ... 2,198,349 2,198,349

6. Children's Affairs, Department of:
HB213

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>11,027,857</td>
<td></td>
<td>11,027,857</td>
</tr>
</tbody>
</table>

(a) Social Services Program

The proposed spending plan for
the ETF monies included in the
above program is as follows:

Office of School Readiness
...10,000,000

Operations and Maintenance
...77,857

Head Start Program ...950,000

SOURCE OF FUNDS:

(1) ETF ........................ 11,027,857

Total Children's Affairs, De-
partment of ........................ 11,027,857 11,027,857

7. Debt Service:

(a) Debt Service Program .... 15,375,775 15,375,775

For payments on interest and
principal of GO Refunding
Bonds, Series 1999-A 4,328,000

For payments on interest and
principal of GO Bonds, Series
2001-B ............... 794,355

For payments on interest and
principal of GO Bonds, Series
2001-A ............... 3,597,920

For payments on interest and
principal of GO Bonds, Series
2005-A ............... 6,040,756

For payments on endowments as
follows:

For interest on Auburn Univer-
sity Endowment ...... 20,280

For interest on University of
Alabama Endowment .... 61,000

For interest on Grove Hill
Endowment ............... 600

For interest on Public School
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Fund Endowment:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Interest on 16th Section Lands, Estimated .... 410,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Interest on School Indemnity Lands, Estimated ..... 90,000</td>
<td></td>
<td></td>
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<tr>
<td>4 Interest on Valueless 16th Section Land ............ 5,825</td>
<td>26,764</td>
<td>275</td>
</tr>
<tr>
<td>5 For interest on Surplus Revenue .....................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Interest on James Wallace Fund ......................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 ..................................................</td>
<td>275</td>
<td></td>
</tr>
<tr>
<td>8 Total Interest on Public School Fund Endowment 532,864</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 SOURCE OF FUNDS:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 (1) ETF ....................... 14,842,911</td>
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<tr>
<td>11 (2) ETF-Transfer ............... 532,864</td>
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</tr>
<tr>
<td>12 Total Debt Service .......... 15,375,775</td>
<td>15,375,775</td>
<td></td>
</tr>
</tbody>
</table>

8. Dental Scholarship Awards, Board of:

(a) Support of Other Educational Activities Program . 408,000
To be expanded under the provisions of Code of Alabama 1975, Sections 16-47-75 through 16-47-81.

SOURCE OF FUNDS:

(1) ETF ....................... 408,000

9. Education, State Board of - Local Boards of Education:

(a) Foundation Program ...... 3,691,874,752 428,348,770 4,120,223,522
The above appropriation shall include funds to pay for sub-
stitute support employees for each day a support employee is absent. The Department of Education is directed to withhold funds from local systems not employing substitutes for absent support employees. Such withheld funds shall revert to the Education Trust Fund.

(b) Transportation Program. Of the above appropriation, the amount necessary to fund a transportation program for alternative and gifted students in any school system in a Class I municipality shall be calculated in the distribution formula by the State Department of Education for the transportation program. The State Superintendent is directed to withhold transportation funds used to pay employee benefits including but not limited to PEEHIP, sick leave, teacher retirement, and F.I.C.A. from any local board which does not directly provide these benefits to transportation employees. No local board shall be allowed to convert funding provided in this budget for employee benefits into other uses or expenditures. The above appropriation includes fleet renewal funds of $6,660 per bus. No fleet renewal funds shall be sent to any school system which does not own its own buses. The State Examiner of Public Accounts shall assure compliance. The rate per day for two personal days and five sick days for transportation personnel shall be $40. An appropriately certified transportation substitute shall be em-
employed for the absent transportation employee for each
day the employee is absent.
The Department of Education is
directed to withhold funds
from local systems not employ-
ing substitutes for absent
transportation employees. Such
withheld funds shall revert to
the Education Trust Fund.

(c) At-Risk Student Program .

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>31,028,405</td>
<td>31,028,405</td>
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</tr>
</tbody>
</table>

Each district shall receive
its pro rata share for each
student who is defined as be-
ing at-risk of dropping out of
school or is performing at an
academic level below current
grade placement. It is the
intent of the Legislature that
school systems should be en-
couraged to successfully move
students from the at-risk cat-
egory. Therefore, a school
system shall maintain its
at-risk funding for every stu-
dent removed from its at-risk
definition for the next two
fiscal years. Local school
districts shall maintain sepa-
rate accounts for all funds
received in this category. The
funds provided in this section
are specifically designated
for special programs to serve
these students and may not be
used as a part of a local
school district's general op-
erating budget. Local school
systems in partnership with
and funding from the Depart-
ment of Education are expected
to establish programs which
will increase learning oppor-
tunities for at-risk students.
These programs shall include,
but not be limited to, af-
fter-school tutoring, summer
schools, weekend schools,
character education programs, drop-out prevention programs, career technical education, youth programs, alternative schools, training of parents, purchase and use of web-based practice tests for the high school graduation exam and other state required standardized tests, programs to improve reading, and/or math, and/or science skills to increase grade-to-grade promotion, high school graduation and college preparedness, and other activities designed to assist at-risk students. The State Department of Education shall monitor the intent of the Legislature in the use of these funds and shall assure that they are used only in a manner designed to provide additional assistance above and beyond the regular instructional program for at-risk students. At-risk funds shall not be used to supplant any other funding of summer schools or other activities which are designed to serve the general student population but must be used for specific programs for at-risk students. At-risk students shall be defined as those students who have scored in Stanines 1, 2, 3, or 4 on the most recently administered statewide student assessment. Further, local school faculty and the school principal shall make specific recommendations for students at the school to be included as participants in the at-risk program. At-risk funds may be expended for student programs to improve the
efficiency and utilization of technology-based educational resources in the classroom. As a part of the above appropriation for the At-Risk Student Program, there is hereby appropriated $750,000 for the Alabama Student Information Management System (ASIMS). ASIMS will connect each school in Alabama with the Department of Education through a common software program in order to assimilate data necessary to comply with state accountability standards, Legislative Fiscal Office requests, and the 2001 Reauthorization of the Elementary and Secondary Education Act (ESEA). It is the intent of the Legislature that schools and school systems involve the community in planning and implementing at-risk programs. Therefore, schools shall expend at least 20% of the at-risk funds to partner with non-profit community organizations in planning and implementing at-risk programs which directly assist in improving academic performance. Such program may include, but not be limited to, Boys and Girls Clubs, YMCAs, 21st Century Leadership, Pell City Bridge Builders, Alabama Young Farmers Education Program, and local civic and charitable organizations. It is the intent of the Legislature that these funds not be utilized to partner with governmental nor quasi-governmental agencies and entities whose functions already include programs designated for at-risk funding.
The local school board shall set forth the efforts made to identify and involve community organizations. The local board shall revert to the ETF any portion of the 20% of its at-risk funding which was not expended on partnerships with qualifying community organizations. If after a diligent process the local board cannot identify effective community organizations, the local board may request a waiver from this 20% requirement from the State Superintendent of Education. The local board must submit an alternative plan to the State Superintendent accompanying the request for the waiver. The State Superintendent may approve a waiver only upon good and sufficient cause. In appropriate situations, businesses may partner with schools or school systems for at-risk programs but may not receive any compensation or reimbursement for expenses or other costs. The State Board of Education is hereby authorized, at its discretion, to institute a pilot program to employ behavioral support specialists in public middle schools.

(d) Endowment Interest Program—Public School Fund,

<table>
<thead>
<tr>
<th></th>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated</td>
<td></td>
<td></td>
<td>532,864</td>
</tr>
</tbody>
</table>

(e) Capital Outlay Program—Public School Fund,

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th>150,000,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated</td>
<td></td>
<td></td>
<td>150,000,000</td>
</tr>
</tbody>
</table>

(f) Board of Adjustment

|                        |                      |                | 862,800            |

(g) Salary Matrix Adjustment

|                        |                      |                | 22,443,919         |

(h) School Nurses Program

|                        |                      |                | 33,777,343         |

To be distributed so that each school system shall receive one nurse and additional
nurse or fractions of a nursing allocation based upon the average daily membership
during the first 20 scholastic days after Labor Day of the preceding school year.
The School Nurses Program shall use the following salary matrix to determine nursing
salaries, based on 187 contract days and seven and one-half working hours per day.
No nurse shall be dismissed, have their hours reduced and/or extended or receive
less salary than received in FY 07 plus the seven percent raise provided in HB 385
due to the establishment of the salary matrix. No funds provided herein for the
School Nurses Program shall be used for the payment of any salaries of nurses who
are not under the direct control, employment, and supervision of local boards of
education. Any part-time employee pay shall conform to the pro-rata share of the
following matrix:

<table>
<thead>
<tr>
<th>Years Experience</th>
<th>LPN</th>
<th>RN</th>
<th>RN/MS</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 3</td>
<td>19,000</td>
<td>36,144</td>
<td>41,564</td>
</tr>
<tr>
<td>3 but less than 6</td>
<td>20,881</td>
<td>39,756</td>
<td>45,720</td>
</tr>
<tr>
<td>6 but less than 9</td>
<td>21,779</td>
<td>41,497</td>
<td>47,721</td>
</tr>
<tr>
<td>9 but less than 12</td>
<td>22,062</td>
<td>42,053</td>
<td>48,362</td>
</tr>
<tr>
<td>12 but less than 15</td>
<td>22,459</td>
<td>42,818</td>
<td>49,238</td>
</tr>
<tr>
<td>15 but less than 18</td>
<td>22,953</td>
<td>43,794</td>
<td>50,364</td>
</tr>
<tr>
<td>18 but less than 21</td>
<td>23,229</td>
<td>44,360</td>
<td>51,012</td>
</tr>
<tr>
<td>21 but less than 24</td>
<td>23,507</td>
<td>44,926</td>
<td>51,666</td>
</tr>
<tr>
<td>24 but less than 27</td>
<td>24,007</td>
<td>45,461</td>
<td>52,201</td>
</tr>
<tr>
<td>27 or more</td>
<td>24,507</td>
<td>45,997</td>
<td>52,737</td>
</tr>
</tbody>
</table>

(i) Capital Outlay Program-Federal and Local Funds, Estimated ............. 37,866,031 37,866,031

(j) Information Technology Services Program ................ 5,661,022 5,661,022

The above appropriation shall be expended by local school systems towards the position of a district technology coordinator that meets the job description and qualifications as established by the State
Board of Education and serves as the primary point of contact for all technology issues. The District Technology Coordinator as directed by the school system shall be responsible for a technology program that ensures the proper accountability for the following: technology funds; technology professional development; technology planning and reporting; coordination of technology across all programs; a safe, secure, and fully operable network; technology procurement and inventory; technology support for data management; technology support for distance learning; and, directing a program to ensure all state standards involving technology for teachers, administrators, and students are met and technology is integrated throughout the curriculum.

SOURCE OF FUNDS:

(1) ETF .......................... $4,130,291,627

(2) Federal and Local Funds .......................... $466,214,801

(3) Public School Fund, Estimated .......................... $150,532,864

Total Education, State Board of - Local Boards of Education .......................... $4,130,291,627 $616,747,665 $4,747,039,292

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 2007-2008 are based on the funding divisors set forth below. Units earned under the Foundation Program shall be employed as regular classroom teachers until and/or unless the local school achieves class sizes equal to or less than the following as
mandated by the State Board of Education: grades K-3, maximum of 18; grades 4-6,
mixed of 26; and grades 7-12, maximum of 29. The divisors listed below shall not
serve to prescribe pupil-teacher ratios.

<table>
<thead>
<tr>
<th>Grades</th>
<th>Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>K-3</td>
<td>13.8</td>
<td></td>
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</tr>
<tr>
<td>4-6</td>
<td>21.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7-8</td>
<td>20.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9-12</td>
<td>18</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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 in FY 2007 and FY 2008 be
used for additional physical education; special education; and math and science
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:

<table>
<thead>
<tr>
<th>Years Experience</th>
<th>BS</th>
<th>MS</th>
<th>6Y</th>
<th>DO</th>
<th>ND</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 3</td>
<td>36,144</td>
<td>41,564</td>
<td>44,818</td>
<td>48,071</td>
<td>36,144</td>
</tr>
<tr>
<td>3 but less than 6</td>
<td>39,756</td>
<td>45,720</td>
<td>49,297</td>
<td>52,877</td>
<td>39,756</td>
</tr>
<tr>
<td>6 but less than 9</td>
<td>41,497</td>
<td>47,721</td>
<td>51,470</td>
<td>55,191</td>
<td>41,497</td>
</tr>
<tr>
<td>9 but less than 12</td>
<td>42,053</td>
<td>48,362</td>
<td>52,148</td>
<td>55,932</td>
<td>42,053</td>
</tr>
<tr>
<td>12 but less than 15</td>
<td>42,818</td>
<td>49,238</td>
<td>53,093</td>
<td>56,949</td>
<td>42,818</td>
</tr>
<tr>
<td>15 but less than 18</td>
<td>43,794</td>
<td>50,364</td>
<td>54,305</td>
<td>58,244</td>
<td>43,794</td>
</tr>
<tr>
<td>18 but less than 21</td>
<td>44,360</td>
<td>51,012</td>
<td>55,005</td>
<td>58,999</td>
<td>44,360</td>
</tr>
<tr>
<td>21 but less than 24</td>
<td>44,926</td>
<td>51,666</td>
<td>55,708</td>
<td>59,752</td>
<td>44,926</td>
</tr>
<tr>
<td>24 but less than 27</td>
<td>45,461</td>
<td>52,201</td>
<td>56,245</td>
<td>60,288</td>
<td>45,461</td>
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<tr>
<td>27 or more</td>
<td>45,997</td>
<td>52,737</td>
<td>56,780</td>
<td>60,824</td>
<td>45,997</td>
</tr>
</tbody>
</table>

For "Fringe Benefits" the rate per day for two personal days and five sick days (for
units earned in the Foundation Program) shall be $60. The Teachers' Retirement Sys-
tem rate shall be 11.06% of salaries. The Public Education Employees' Health Insur-
The appropriation herein shall include funds to pay for substitute support employees for each day a support employee is absent. The Department of Education is directed to withhold funds from local systems not employing substitutes for absent support employees, such withheld funds shall revert to the ETF.

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 $75.00 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. An instructional support unit earned for a principal shall be increased by .31 for elementary schools, .35 for middle schools, and .45 for secondary schools and unit schools. An instructional support unit earned for an assistant principal shall be increased by .10 for elementary schools, middle schools, secondary schools and unit schools. An instructional support unit earned for a counselor shall be increased by .03 for secondary schools and unit schools. 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.

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

<table>
<thead>
<tr>
<th>Fund</th>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations and Maintenance</td>
<td>354,951,931</td>
<td>194,993,959</td>
<td>549,945,890</td>
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<tr>
<td>Auxiliary Enterprises</td>
<td>36,400,000</td>
<td>36,400,000</td>
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<tr>
<td>Restricted Funds</td>
<td>194,365,000</td>
<td>194,365,000</td>
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<tr>
<td>Operations and Maintenance</td>
<td>10,004,930</td>
<td>10,004,930</td>
<td></td>
</tr>
</tbody>
</table>
Of the above appropriation for
Prison Education, $2,000,000
shall be expended for Thera-
peutic Education.

(e) Postsecondary Skills
Training and Education (Fed-
eral and Other Funds) .......

(f) Adult Education Program

(g) Special Populations Train-
ing .........................

For programs to prepare the
inmate population, parolees or
other special populations des-

ignated by the Chancellor for
entry into the workforce
through adult education,
preemployment skills training,
and short-term intensive ca-
reer technical training.

(h) Mine Safety Training Pro-
gram ........................

(i) Community Educational
(C.I.T.Y.) Programs .......

(j) Postsecondary Education
Department - Administration

(k) Postsecondary/Tech Col-
ges - Truck Driving Train-
ing ...........................

Of the above appropriation,
$350,000 shall be expended for
the Truck Driver Training Pro-
gram at Central Alabama Com-

munity College.

(l) Workforce Development ...

The Workforce Development
Funds shall be distributed by
the State Board of Education
upon recommendation of the
Chancellor to develop and im-
plement programs to provide a
skilled workforce and to pro-
vide college operations and
maintenance allocations for
workforce and economic development. Of the above appropriation for Workforce Development, $1,000,000 shall be allocated to operate pilot 3-D instructional centers at Alabama Southern Community College; Gadsden State Community College; Wallace State Community College-Hanceville; and Wallace Community College-Selma.

(m) Marion Military Institute 7,403,879 7,403,879
(n) Alabama Technology Network 6,925,000 6,925,000
(o) Business and Commerce Center Network 1,900,000 1,900,000

SOURCE OF FUNDS:

(1) ETF 426,526,038

(2) Federal and Other Funds 460,793,165

Total Education, State Board of - Two-Year College System 426,526,038 460,793,165 887,319,203

(1) From the above appropriation from the ETF for Operations and Maintenance, each of the colleges shall receive the amounts necessary to fund additional employer contributions to PEEHIP and teachers' retirement and to fund mandated raises. The remaining balance shall be allocated among colleges in an amount equal to the percent of the permanent Operations and Maintenance allocation received from the ETF in Act 2006-272.

(2) Those colleges with Life Tech programs funded from Special Populations allocations shall have corresponding amounts added to their Operations and Maintenance allocations in subsequent years.

(3) The other allocations required herein shall be distributed by the State Board of Education upon recommendation by the Chancellor.

11. Education, State Department of:

(a) Administrative Services Program 211,317,838 112,810,057 324,127,895

The proposed spending plan for the ETF monies included in the above program is as follows:
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<table>
<thead>
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<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
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<tr>
<td>Maintenance of</td>
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<td>39,212,228</td>
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<tr>
<td>the Department</td>
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<td>priation, at least</td>
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<td>$10,246,961 shall be</td>
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<td>ment of Education</td>
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<td>2005.</td>
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<td>Operations and</td>
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<td>the Alabama</td>
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<tr>
<td>Reading Initiative</td>
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<td>Operations and</td>
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<td>Math/Science/Techno-</td>
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<td>Arts Education</td>
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<td>For art education</td>
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<td>programs in areas</td>
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<td>mission.</td>
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<tr>
<td>Teacher/Student</td>
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<tr>
<td>Testing</td>
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<td>8,472,918</td>
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<td>teacher/student test</td>
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<td>related to teacher</td>
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<td>and student</td>
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<td>assessment.</td>
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<td>Children's Eye</td>
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<td>Screening Pro-</td>
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<td>gram and Follow-</td>
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<td>up Eye Care</td>
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<td>2,696,459</td>
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<td>Of the above appro-</td>
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<td>priation, $1,377,000</td>
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<td>shall be used to</td>
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<td>provide eye screening</td>
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<td>for Grades K, 2 and</td>
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<td>4. The method</td>
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<td>of screening shall be</td>
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<td>color photo refraction as developed</td>
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</tr>
</tbody>
</table>
by the National Aeronautics
and Space Administration and
$1,319,459 shall be used to
provide follow-up care for
those Grades K, 2 and 4 stu-
dents. Follow-up eye care ser-
vice shall include, but not
be limited to, providing as-
sistance in obtaining and co-
ordinating local eye care ser-
cives for those children iden-
tified as needing said fol-
low-up eye care services
whether insured, uninsured or
underinsured. Children identi-
ified as uninsured or
underinsured shall be provided
with free eye exams and free
prescription spectacles. A
database including specific
data by child, grade,
school/system, and services
for outcome-based measurement
shall be maintained and ar-
ched.

Governor's Lo-
cal School and
School System
Academic and
Financial Im-
provement Pro-
gram (At-Risk)  26,241,983

The above appropriation shall
be expended for the operations
and maintenance of at-risk
programs to develop and imple-
ment school improvement pro-
grams financial and/or aca-
demic accountability per Sec-
tion 16-6B-3, Code of Alabama
1975, and for benefits for
appropriate personnel within
the Department of Education.
At-risk funds shall be used to
employ personnel under
short-term contracts who shall
be assigned by the State Su-
perintendent of Education to
give direct assistance to
schools which come under the
jurisdiction of the Department
in accordance with Sections
16-6B-1 through 16-6B-6, Code
of Alabama 1975, which re-
quires schools and/or school
systems to be placed in inter-
vention for academic and/or
financial reasons by the State
Superintendent. In selecting
these personnel, the State
Superintendent shall give
preference to persons who have
achieved National Board for
Professional Teaching Stan-
dards (NBPTS) certification
and/or who have been chosen as
Alabama Teachers of the Year.
In the event this pool of per-
sonnel is inadequate, the
State Superintendent may then
employ other teaching and/or
administrative personnel who
have been recognized for their
competence. Such personnel
shall be assigned to work di-
rectly with schools whose op-
erations are assumed by the
state. The State Superinten-
dent may further use these
personnel to assist schools
that are on Priority status as
well as use these funds in
partnership with and funding
from the Department of Educa-
tion to improve the learning
opportunities for at-risk stu-
dents. These programs shall
include, but not be limited
to, after school programs,
character education programs,
drop-out prevention programs,
summer programs, career tech-
nical youth programs, programs
to improve reading, and/or
math, and/or science skills to
increase grade-to-grade promo-
tion, high school graduation
and college preparedness, and
other activities designed to
assist at-risk students. Person-
nel employed or contracted
by the Department for assis-
tance in at-risk schools shall
be on release status from
their respective local boards
of education and shall retain
all benefits and tenure status
unless they are given perma-
nent employment in the State
Department of Education. Funds
may be allocated to entities
that have and/or can effect
positive results in improved
student achievement. Of the
above appropriation,
$5,067,250 is to be expended
to reward schools for increas-
ing their academic achieve-
ment. Rewards will go directly
to the school in which im-
provement is made and should
be invested in instructional
improvement programs and/or
materials voted on by the
teaching faculty. The State
Superintendent of Education
shall notify and invite to
participate members of the
local legislative delegation
when rewards are granted to
schools which have increased
their academic achievement.
The State Board of Education
is hereby authorized, at its
discretion, to institute a
pilot program to employ behav-
ioral support specialists in
public middle schools.

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>746,282</td>
</tr>
</tbody>
</table>

For distribution of the School Accountability Report Card
referred to in Section 16-6B-7
of the Code of Alabama 1975 to
every parent with a child in
Alabama public schools.

English as a
Second Language
Students Pro-
gram ........... 5,339,800

Based on the 2006-07 school
system count supplied to the
Alabama Department of Educa-
tion by each local superinten-
dent of education, herein is
appropriated on a per student
basis to be utilized by local
school boards to provide as-
sistance to students not uti-
lizing English as their native
language so they may become
proficient in reading, writ-
ing, and speaking English at
the earliest possible time.

Tenure Arbitra-
tion Costs ... 900,000

Of the above appropriation for
Tenure Arbitration Costs,
$400,000 shall be transferred
to fund the Office of the At-
torney General for performance
of arbitration services, in-
cluding administration of the
State's tenure laws (Code of
Alabama 1975, Section
36-26-115) by the Office of
Administrative Hearings, Divi-
sion of Administrative Law
Judges.

Teacher Incent-
tive Pay ...... 750,000

Teacher Re-
cruitment In-
centives ...... 2,725,000

The State Board of Education
shall designate certain areas
of critical needs for class-
room teachers. These needs may
be in subject matter areas, grade levels, geographic location, race or gender. The scholarship funds appropriated herein shall be administered by the Alabama Commission on Higher Education (ACHE) and shall be disbursed to students graduating from high school or already enrolled in college who sign a contract to become teachers. Upon completion of the course of study leading to certification each new teacher shall perform one year of service in an Alabama public school classroom for each year of scholarship funding received. Each year of scholarship shall be forgiven for each year of Alabama public school service. In the event the contract is violated the outstanding amount of money owed shall be repaid with eight percent interest. ACHE shall award scholarships based upon a combination of student need and academic success on previous study undertaken. The scholarships awarded may be up to $10,000 per year for students preparing to teach in areas of need determined by the State Board of Education. Ten percent of this allocation may be used in conjunction with Future Teachers of Alabama to strengthen high school initiatives aimed at recruiting students to become teachers.

Distance Learning .......... 20,325,000

Job descriptions shall be developed by the State Department of Education for positions funded by this appropri-
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
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</thead>
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<td>.................</td>
<td>54,604,120</td>
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<tr>
<td>.........</td>
<td>974,259,477</td>
<td>1,028,863,597</td>
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</table>

Hiring of personnel shall be monitored by the State Department of Education for compliance with these job descriptions. In addition, these funds shall be used exclusively to meet the distance learning initiative ACCESS (Alabama Connecting Classrooms, Educators, and Students Statewide).

Advanced Placement .......... 2,600,000

Dropout Prevention Pilot ... 550,000

(b) Financial Assistance Program .........................

The proposed spending plan for the ETF monies included in the above program is as follows:

Southwest School of Deaf and Blind .... 367,301

Alabama Governor's School . 50,000

Character Education Pilot Program ...... 200,000

Crisis Assistance Program 800,000

PALS Program . 150,000

Play By The Rules Program 200,000

Pre-School Program ............ 3,766,473

Council on Economic Education .... 150,000

National Board for Professional Teaching Standards .... 8,690,000

The above appropriation in-
includes funds to pay assessment
fees for teachers desiring to
take the examination, funds to
provide a $5,000 addition to
base salary as determined by
the Minimum Salary Schedule
for all board-certified teach-
ers and funds to provide a
one-time bonus for teachers
earning certification to be
used for classroom supplies,
materials and equipment. Ala-
abama teachers shall apply for
funding of the assessment fees
and recipients are required to
commit to teach in Alabama
public schools for an addi-
tional period of five years
unless an exception is granted
for just cause. Of the funds
provided herein, an amount not
to exceed $45,000 shall be
used to pay for release time
of personnel used by the State
Department of Education to
mentor prospective candidates
for the NBPTS certification
and to assist in determining
which candidates shall receive
state funding to take the ex-
amination. Salary must be pro-
vided before said amount can
be used by the State Depart-
ment of Education for person-
nel release time.

Teacher
In-Service Cen-
ters ............ 3,824,286

The State Board of Education,
through the State Superinten-
dent of Education, shall ad-
minister the in-service cen-
ters and shall monitor the
centers for compliance with
established accountability
standards. The above appropi-
ration to the In-Service Cen-
ters shall be distributed to
<table>
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<th>Education Trust Fund</th>
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<th>Appropriation Total</th>
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<tbody>
<tr>
<td>the existing eleven Teacher In-Service Centers in each geographical area of the state as follows:</td>
<td></td>
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<tr>
<td>University of Alabama</td>
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<td></td>
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<tr>
<td>.... $301,366</td>
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<tr>
<td>University of Alabama at Birmingham</td>
<td></td>
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<td>.... $417,142</td>
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<td>Alabama A and M University</td>
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<td>Alabama State University</td>
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<td>.... $327,636</td>
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<tr>
<td>Athens State University</td>
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<td>.... $317,602</td>
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<td>Auburn University</td>
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<td>.... $330,577</td>
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<td>Jacksonville State University</td>
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<td>.... $323,731</td>
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<td>University of Montevallo</td>
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<td>.... $340,224</td>
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<td>Troy University</td>
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<td>.... $343,881</td>
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<td>University of North Alabama</td>
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HB213

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<th>Appropriation Total</th>
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</table>

... $294,564

University of South Alabama

... $447,378

Teacher Professional Development Training 1,352,399

This appropriation shall be used to train teachers (K-12) in the use of computers in the classroom. Trainers shall be chosen who can assist teachers in learning computer skills, the use of instructional software, and the classroom uses of the Internet.

Online Professional Development ........... 800,000

Jobs for Alabama's Graduates (JAG) ... 996,398

Governor's High Hopes for Alabama Students 16,304,863

Of the above appropriation, $5,385,927 is to be allocated on behalf of each student failing any section of the Alabama High School Graduation Exam, an amount to be determined by dividing the sum allocated in this section by the number of students in the state who fail any section of the exam. The sum derived shall then be multiplied by the number who failed any section of the exam in each school. That amount shall then be allocated by each school system to the school to be used to provide immediate as-
<table>
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<th>Education Trust</th>
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<td>$10,918,936</td>
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</table>

Assistance to the specific students who failed. The funds appropriated in this section for graduation exam failure shall be in addition to and may not supplant any other funds required to be expended by the state or local board of education for remediation and for the purchase of web-based sample practice tests for the High School Graduation Exam and other state required standardized tests which can be taken and scored using a web-based platform, or for at-risk students, including, but not limited to, Section 16-6B-3, Code of Alabama 1975, and/or any rules or regulations adopted by the State Board of Education.

$10,918,936 is to be allocated for programs to help prevent students in Grades 6 through 12 from becoming dropouts and for programs/initiatives that create an improved school environment to enhance the education of all students.

Home Instruction for Parents of Preschool Youngsters (HIPPY) 1,700,000

Of the above appropriation, $85,000 shall be allocated for the HIPPY state office.

Gifted Education 2,337,400

21st Century
After School/Extended Day Programs 1,000,000
Career Tech Initiative 5,000,000
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>165,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

To provide educational services to students at Children's Hospital.

P.A.C.E.R.S.

<table>
<thead>
<tr>
<th>Program</th>
<th>400,000</th>
<th></th>
</tr>
</thead>
</table>

School Bus Seat Belts Pilot Program

<table>
<thead>
<tr>
<th>Program</th>
<th>750,000</th>
<th></th>
</tr>
</thead>
</table>

Teacher Mentoring Program

<table>
<thead>
<tr>
<th>Program</th>
<th>3,950,000</th>
<th></th>
</tr>
</thead>
</table>

A teacher mentoring program shall be established and instituted in each school in which a first year teacher is employed. The principal shall designate a mentor for each new teacher who has had no prior teaching experience. The mentor must concur in his/her selection and shall receive a stipend of $1,000 for the academic year. Mentors shall be selected on the basis of qualifications recommended by the State Superintendent of Education. Mentors shall advise and offer instructional counseling to the new teacher. Mentor teachers shall have no administrative duties and shall not participate in the evaluation of the new teacher. At no time shall the mentor act as a substitute teacher in lieu of the new teacher. Each mentor currently employed as a classroom teacher shall continue his/her normal teaching responsibility in addition to providing assistance to the new teacher. Payment of the stipend shall be made in two payments.
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 650,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 750,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 250,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 2,214,759</td>
<td>2,214,759</td>
<td></td>
</tr>
<tr>
<td>5 All funds appropriated to this program shall be expended in accordance with Title 16, Chapters 61B and 61C, Code of Alabama 1975. Additionally, any funds unexpended and carried over from the prior fiscal year are hereby reappropriated.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 (d) Disability Determination for Social Security Program 78,595,140</td>
<td>78,595,140</td>
<td></td>
</tr>
</tbody>
</table>

**SOURCE OF FUNDS:**

<table>
<thead>
<tr>
<th>23 265,921,958</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 2,214,759</td>
</tr>
<tr>
<td>25 4,213,120</td>
</tr>
<tr>
<td>26 1,158,951,554</td>
</tr>
<tr>
<td>27 2,500,000</td>
</tr>
<tr>
<td>28 268,136,717</td>
</tr>
<tr>
<td>29 1,165,664,674</td>
</tr>
<tr>
<td>30 1,433,801,391</td>
</tr>
</tbody>
</table>

12. **Educational Television Commission:**

| 34 500,000 |
| 35 For purchase of equipment. |
| 36 10,411,634 |
| 37 323,715  |
| 38 10,735,349 |
HB213

<table>
<thead>
<tr>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF .......</td>
<td>10,411,634</td>
<td></td>
</tr>
<tr>
<td>(2) ETF-Capital Outlay</td>
<td>500,000</td>
<td></td>
</tr>
<tr>
<td>(3) Federal and Local Funds</td>
<td></td>
<td>323,715</td>
</tr>
<tr>
<td>Total Educational Television Commission</td>
<td>10,911,634</td>
<td>323,715</td>
</tr>
</tbody>
</table>

13. Executive Commission on Community Services Grants, State:

(a) Community Services Grants Program ................. 14,766,000 14,766,000

Distributed pursuant to Section 29-2-123 of the Code of Alabama 1975, as amended.

SOURCE OF FUNDS:

(1) ETF ................. 14,766,000

The above appropriation shall be used for grants that promote public education purposes. In addition to the above appropriation to the State Executive Commission on Community Services Grants, there is hereby appropriated $13,800,000 from the ETF for FY 2008 in the event that neither House Bill 244 nor Senate Bill 126 in the 2007 Regular Legislative Session making a supplemental appropriation for FY 2007 becomes law.

Total Executive Commission on Community Services Grants, State ................. 14,766,000 14,766,000

14. Family Practice Rural Health Board:

(a) Family Practice Rural Health Program ............. 1,612,703 1,612,703
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF ..............</td>
<td>1,612,703</td>
<td></td>
</tr>
<tr>
<td>Total Family Practice Rural Health Board ............</td>
<td>1,612,703</td>
<td>1,612,703</td>
</tr>
</tbody>
</table>

Of the above appropriation, at least $100,000 shall be expended for the Auburn Rural Health Program; a minimum of $100,000 shall be expended for the Tuskegee Area Health Education Center (TAHEC) and $125,000 shall be expended for the Rural Health Program at the University of Alabama in Huntsville. Of the above appropriation, $540,000 shall be expended for the Rural Medical Scholars Program at the University of Alabama at Tuscaloosa.

**15. Finance, Department of:**

(a) Employee Benefits Program 900,000 900,000

<table>
<thead>
<tr>
<th>SOURCE OF FUNDS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) ETF, Estimated .......... 900,000</td>
</tr>
<tr>
<td>Total Finance, Department of 900,000 900,000</td>
</tr>
</tbody>
</table>

To be distributed by the State Comptroller to the designated beneficiaries or estates for unused sick leave pursuant to Code of Alabama 1975, Section 16-1-18.2.

**16. Finance, Department of - Telephone Revolving Fund:**

(a) Information Systems Program 1,400,000 1,400,000

<table>
<thead>
<tr>
<th>SOURCE OF FUNDS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Telephone Revolving Fund 1,400,000 1,400,000</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>--------------------</td>
</tr>
<tr>
<td>(1) ETF-Transfer</td>
</tr>
<tr>
<td>Total Finance, Department of Telephone Revolving Fund</td>
</tr>
</tbody>
</table>

The Telephone Revolving Fund shall assess to using agencies and institutions any additional amount necessary to provide continuing non-interrupted service of a minimum maintenance level.

17. Fine Arts, Alabama School of:
(a) Financial Assistance Program

<table>
<thead>
<tr>
<th></th>
<th>7,825,799</th>
<th>903,000</th>
<th>8,728,799</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>7,825,799</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Federal and Local Funds</td>
<td>903,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Fine Arts, Alabama School of</td>
<td>7,825,799</td>
<td>903,000</td>
<td>8,728,799</td>
</tr>
</tbody>
</table>

18. Fire Fighters' Personnel Standards and Education Commission, Alabama/Fire College Shelton State Community College:
(a) Operations and Maintenance

<table>
<thead>
<tr>
<th></th>
<th>6,294,000</th>
<th>1,832,300</th>
<th>8,126,300</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>6,294,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Federal and Local Funds</td>
<td>1,832,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Fire Fighters' Personnel Standards and Education Commission, Alabama/Fire College Shelton State Community College</td>
<td>6,294,000</td>
<td>1,832,300</td>
<td>8,126,300</td>
</tr>
</tbody>
</table>

Of the above appropriation, $5,944,000 shall be expended for the Alabama Fire and Emer-
agency Services Academy which shall be managed as a technical division of Shelton State Community College under the auspices of the State Board of Education.

19. Governor's Office of Faith Based and Community Initiatives:

(a) Executive Direction Program ...................... 150,000 150,000

SOURCE OF FUNDS:

(1) ETF ........................................ 150,000

Total Governor's Office of Faith Based and Community Initiatives ...................... 150,000 150,000

20. Higher Education, Alabama Commission on:

(a) Planning and Coordination Services Program ......... 3,134,090 3,134,090

The proposed spending plan for the ETF monies included in the above program is as follows:

Operations and Maintenance .................. 3,134,090

Of the above appropriation, the Commission shall expend $200,000 for the School and University Partnership for Education Renewal Program (SUPER).

(b) Student Financial Aid Program ...................... 8,856,730 864,019 9,720,749

(1) Policeman's Survivor Tuition, Estimated ............... 137,000

To be expended under the provisions of Code of Alabama 1975, Section 36-21-105.

(2) Alabama Na- .................................. 675,143
HB213

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,443,116</td>
<td>3,569,471</td>
<td>5,231,631</td>
</tr>
</tbody>
</table>

To be expended in accordance with Code of Alabama 1975, Sections 31-10-1 through 31-10-4 and Sections 31-10-20 through 31-10-25.

(3) Alabama Student Assistance Program

(4) Educational Grants Program
(Alabama Student Grant Program) .......... 3,569,471

To be expended in accordance with Code of Alabama 1975, Sections 16-33A-1 through 16-33A-11. It is the intent of the Legislature that private institutions receiving state grant funds under this provision make their best effort to use the equivalent of ten percent of 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.

(5) Chiropractic Scholarships . 32,000

To be expended in accordance with Code of Alabama 1975, Section 16-5-11.

(c) Support of Other Educational Activities Program . 3,541,271 1,690,360 5,231,631

The proposed spending plan for...
the ETF monies included in the above program is as follows:

(1) Network of Alabama Academic Libraries

.................. 750,000

It is the intent of the Legislature that ACHE shall provide for the participation of Athens State University in the Network of Alabama Academic Libraries.

(2) Southern Regional Education Board (SREB) ........ 841,271

(3) EPSCoR (Research) Program

.................. 1,450,000

(4) Computer Based Articulation System .. 500,000

To fund Troy University for developing and operating a statewide computer-based articulation system to serve all four-year and two-year postsecondary institutions in the State of Alabama.

(d) Alabama Guaranteed Student Loan Program ............... 398,100 398,100

(e) Alabama Agricultural Land Grant Alliance Program .... 7,850,000

Of the above appropriation to the Alabama Agricultural Land Grant Alliance, at least $5,000,000 shall be equally distributed as a state match for federal funds for those institutions in the Alliance required to provide matching funds in order to obtain federal funds for the first time in fiscal year 2000. Of the above appropriation, $650,000
shall be allocated for the fruit and vegetable marketing initiative and $200,000 shall be allocated for the Youth Partnership Program.

SOURCE OF FUNDS:

(1) ETF ........................................ 23,382,091

(2) Federal and Local Funds . ................................................... 2,952,479

Total Higher Education, Alabama Commission on ........... 23,382,091 2,952,479 26,334,570

21. Human Resources, Department of:

(a) Human Services Program - Jobs Opportunities and Basic Skills Training (JOBS) Program ....................... 5,496,041

(b) Human Services Program - Jobs Child Care and After School Child Care Program . 10,368,059

Of the above appropriation, $175,000 shall be expended for the Black Belt Eye Care Consortium.

SOURCE OF FUNDS:

(1) ETF-Transfer ................. 15,864,100

Total Human Resources, Department of .................. 15,864,100 15,864,100

Of the above appropriation, a minimum of $1,200,000 is to be distributed to the day care centers in rural areas within the state for the dual purpose of providing day care services to the working poor and provide state match to draw down additional federal subsidy dollars. These funds shall be distributed based upon a meaningful formula, taking into account service delivery area,
population, and the services
required by the targeted cli-
ents.

22. Industrial Development Train-
ing Institute, Alabama:

(a) Industrial Development and
Training Program ............

(b) Industrial Training Pro-
gram - Operations and Main-
tenance  ............

(c) Workforce Development ...

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
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<tbody>
<tr>
<td>6,440,154</td>
<td>6,440,154</td>
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</tr>
<tr>
<td>6,448,931</td>
<td>6,448,931</td>
<td></td>
</tr>
<tr>
<td>8,000,000</td>
<td>8,000,000</td>
<td></td>
</tr>
</tbody>
</table>

SOURCE OF FUNDS:

(1) ETF  ................

Total Industrial Development Training Institute, Alabama  .

The $8,000,000 of funds appro-
priated for Workforce Develop-
ment are to be expended for
those costs incurred by the
State in honoring commitments
to pay Workforce Development
costs, including services and
other assistance and expenses
of recruitment and training of
a company's workforce, that
are undertaken to induce com-
panies to locate or expand
their operations in Alabama
(described hereinafter as a
"Project") and to develop and
implement training, placement
and recruitment programs that
will improve, develop and ex-
and the State's workforce.
Such costs include, but are
not limited to (i) AIDT oper-
ating costs directly related
to a Project; (ii) wages and
benefits for trainers engaged
by AIDT for the purpose of a
Project; (iii) costs which the
State has agreed to pay under
the terms of a Project Agree-
ment with a company that are necessary and reasonable charges incurred by the company or its affiliates for personnel providing training to the company's employees, whether those trainers are employees of the company or its vendors or suppliers, including wages, benefits and travel (domestic and, when necessary, international); (iv) any necessary materials, equipment, manuals, or other relevant training materials; (v) the costs incurred for purchasing or repairing or replacing training tools and equipment; (vi) costs incurred for the purchase or construction and maintenance of training facilities; (vii) travel expenses for prospective and current employees and trainees, including travel, food, lodging, relocation, and other costs necessary and reasonably to enable the company to secure a qualified workforce; (viii) outside training fees; and (ix) the construction and equipping of career centers to assist citizens of the State in outreach, job search, assessments of individuals, placement assistance, labor market information, individual employment plans and counseling, career planning, occupational and vocational training, and specific skills training. In addition to the above appropriation for Workforce Development programs, there is hereby appropriated the sum of $22,000,000 from the ETF for Workforce Development to be conditioned
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
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</tr>
</thead>
<tbody>
<tr>
<td>12,316,999</td>
<td>3,100,549</td>
<td>15,417,548</td>
</tr>
</tbody>
</table>

23. Library Service, Alabama Public:

(a) Public Library Service Program

Of the above appropriation, a minimum of $5,450,608 is to be distributed to the public libraries within the state; $3,757,600 shall be expended for the Virtual Library Project; and $300,000 shall be expended for Homework Alabama.

(b) Special Grant Program

1,000,000

SOURCE OF FUNDS:

(1) ETF

13,316,999

(2) Federal and Local Funds

Total Library Service, Alabama Public

13,316,999

16,417,548

24. Marine Environmental Sciences Consortium/Dauphin Island Sea Lab:

(a) Support of Other Educational Activities Program

Of the above appropriation, $250,000 shall be expended for the Mobile Bay National Estuary Program and $250,000 shall be expended for the Mississippi-Alabama Sea Grant Consortium.

SOURCE OF FUNDS:

(1) ETF

5,010,737

(2) Federal and Local Funds

2,777,242
25. Mathematics and Science, Alabama School of:

   (a) Financial Assistance Program
       7,160,011  71,850  7,231,861

   SOURCE OF FUNDS:

   (1) ETF  7,160,011

   (2) Federal and Local Funds
       71,850

   Total Mathematics and Science, Alabama School of
       7,160,011  71,850  7,231,861

26. Medical Scholarship Awards, Board of:

   (a) Support of Other Educational Activities Program
       1,600,000  400,000  2,000,000

   To be expended under the provisions of the Code of Alabama 1975, Sections 16-47-121 through 16-47-129.

   SOURCE OF FUNDS:

   (1) ETF  1,600,000

   (2) Federal and Local Funds
       400,000

   Total Medical Scholarship Awards, Board of
       1,600,000  400,000  2,000,000

27. Mental Health and Mental Retardation, Department of:

   (a) Institutional Treatment and Care of Mental Illness Program
       5,301,799

   (b) Institutional Treatment and Care of Mental Retardation Program
       28,529,593

   Of the above appropriation to the Department of Mental Health and Mental Retardation
for the Mental Retardation
Program, the sum of $5,091,760
shall be used to fund the
ARC-type community-based pro-
grams, including the Montgom-
ery Institute for Neurological
Development, for the mentally
retarded and developmentally
disabled in Alabama and the
sum of $520,148 shall be allo-
cated to Camp ASCCA.

c) Substance Abuse Program . 1,307,026 
1,307,026

SOURCE OF FUNDS:

(1) ETF-Transfer ............... 35,138,418

Total Mental Health and Mental
Retardation, Department of .. 35,138,418 35,138,418

28. Military Department:

(a) Military Operations Pro-
gram ......................... 1,200,000 1,200,000

SOURCE OF FUNDS:

(1) ETF ....................... 1,200,000

Total Military Department ... 1,200,000 1,200,000

The above appropriation shall
be expended for the Youth
Challenge Program.

29. Nursing, Alabama Board of:

(a) Professional and Occupa-
tional Licensing and Regula-
tion Program ............... 557,000 557,000

Notwithstanding the limiting
provisions of the Code of Ala-
bama 1975, Sections 34-21-60
through 34-21-63, $500,000 of
the funds appropriated herein
shall be expended exclusively
for scholarships for advanced
degrees to train instructors
to teach nursing classes in
Alabama colleges and universi-
ties.

SOURCE OF FUNDS:

(1) ETF .......................... 557,000

Total Nursing, Alabama Board
of ............................. 557,000 557,000

30. Optometric Scholarship
Awards, Board of:

(a) Support of Other Educa-
tional Activities Program 188,000 700 188,700
To be expended under the pro-
visions of the Code of Alabama
1975, Sections 34-22-60
through 34-22-65.

SOURCE OF FUNDS:

(1) ETF .......................... 188,000

(2) Federal and Local Funds .......................... 700

Total Optometric Scholarship
Awards, Board of ...................... 188,000 700 188,700

31. Peace Officers' Standards and
Training Commission, Alabama:

(a) Professional and Occupa-
tional Licensing and Regula-
tion Program .................... 374,594 1,500,646 1,875,240

(b) Certified Law Enforcement
Academy Program ............... 465,670 550,000 1,015,670

Of the above appropriation for
the Certified Law Enforcement
Academy Program, $465,670 of
ETF monies included therein
shall be expended as follows:

Northeast Police Academy 121,074
Alabama Peace
Officers' Standards and 121,074
Training Commission Law
Enforcement Academy at Tuscaloosa ...
Southwest Police Academy . 121,074
Alabama Police Academy .... 65,194
Montgomery Police Academy . 37,254

SOURCE OF FUNDS:

(1) ETF ......................... 840,264
(2) Alabama Peace Officers' Standards and Training Fund - as provided in the Code of Alabama 1975, Sections 36-21-40 through 36-21-51 . 2,050,646
Total Peace Officers' Standards and Training Commission, Alabama ...................... 840,264 2,050,646 2,890,910

32. Penny Trust Fund - Buskey Matching Funds:

(a) Special Services Program, Estimated ................ 588,454 588,454

SOURCE OF FUNDS:

(1) ETF-Transfer ................ 588,454
Total Penny Trust Fund - Buskey Matching Funds ....... 588,454 588,454


33. Physical Fitness, Governor's Commission on:

(a) Advisory Services Program 919,892 18,846 938,738

SOURCE OF FUNDS:

(1) ETF ....................... 919,892
34. Public Health, Department of:

(a) Public Health Services
   Program ....................... 15,730,785 15,730,785

The above appropriation shall be expended for the continuation of the programs in Public School Sanitation, licensure and certification, immunization activities at the county level, patient education and child health, and immunization of pre-school children and students, dental health, tuberculosis and nursing services, life skills educational training in schools, vaccines to non-VFC-eligible children, and other public health purposes. Of the above appropriation, $330,000 shall be expended for AIDS Alabama and $200,000 shall be expended for the Alabama Kidney Foundation.

(b) Administration Services
   Program ....................... 1,070,387 1,070,387

(c) Continuing Education for EMT Personnel ............... 2,300,000 2,300,000

With the above appropriation, the Department shall offer performance-based awards to regional EMS agencies for the purpose of providing continuing education to EMTs and strengthening the EMS infrastructure.

SOURCE OF FUNDS:

(1) ETF ....................... 19,101,172
35. Rehabilitation Services, Department of:

(a) Direct Client Services for the Handicapped Program...

The proposed spending plan for the ETF monies included in the above program is as follows:

- Homebound ..... 5,996,443
- Hemophilia ..... 1,612,364
- Children's Rehabilitation Services ..... 14,798,305

Of the above appropriation the agency will pay to each hospital the standard per diem paid by the state Medicaid Agency for services relating to scoliosis and spina bifida medical care.

- Education of Dependents of Blind Parents 12,750
- Rehabilitation Services ..... 12,682,738

Of the above appropriation, $100,000 shall be expended for Teaching Children With Disabilities.
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early Intervention Program</td>
<td>$7,272,449</td>
<td></td>
</tr>
<tr>
<td>Respite Related Services and Training</td>
<td>$50,000</td>
<td></td>
</tr>
<tr>
<td>Rehabilitation Projects</td>
<td>$1,484,796</td>
<td></td>
</tr>
</tbody>
</table>

SOURCE OF FUNDS:

(1) ETF ........................................ $43,909,847

(2) Federal and Local Funds ....................... $112,442,804

(3) Impaired Drivers Trust Fund ................. $1,505,794

Total Rehabilitation Services, Department of ........................................ $43,909,847 $113,948,598 $157,858,445

It is the intent of the Legislature that the above appropriation to the Department of Rehabilitation Services - Rehabilitation Projects may be used to contract with providers for cerebral palsy services.

36. Sickle Cell Oversight and Regulatory Commission, Alabama:

(a) Support of Other Educational Activities Program ........................................ $1,652,269 $1,652,269

Of the above appropriation to the Alabama Sickle Cell and Regulatory Commission, the sum of $35,000 shall be used to fund travel and other expenses of the Alabama Sickle Cell Oversight and Regulatory Commission and $1,617,269 shall be used to fund university and community-based Sickle Cell programs which were funded from the ETF budget in FY 2000. These funds shall be distributed proportionately to
the distribution made in FY 2003.

SOURCE OF FUNDS:

<table>
<thead>
<tr>
<th>Education Trust Funds</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) ETF ...................</td>
<td>1,652,269</td>
<td></td>
</tr>
</tbody>
</table>

Total Sickle Cell Oversight and Regulatory Commission, Alabama .................... 1,652,269

37. Space Science Exhibit Commission, Alabama:

(a) Special Services Program 700,000 34,443,000 35,143,000

SOURCE OF FUNDS:

<table>
<thead>
<tr>
<th>Education Trust Funds</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) ETF ...................</td>
<td>700,000</td>
<td></td>
</tr>
</tbody>
</table>

(2) Federal and Local Funds .................................................. 34,443,000

Total Space Science Exhibit Commission, Alabama .......................... 700,000 34,443,000 35,143,000

38. Supercomputer Authority, Alabama:

(a) Information Technology Services Program .................. 6,939,218 2,654,944 9,594,162

The above appropriation is to be expended in accordance with Sections 41-10-390 through 41-10-406, Code of Alabama 1975.

SOURCE OF FUNDS:

<table>
<thead>
<tr>
<th>Education Trust Funds</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) ETF-Transfer ............</td>
<td>6,939,218</td>
<td></td>
</tr>
</tbody>
</table>

(2) Supercomputer Revolving Fund, Estimated ......................... 2,654,944

Total Supercomputer Authority, Alabama .......................... 6,939,218 2,654,944 9,594,162

At least $2 million of these funds shall be used for connectivity purposes.

39. Veterans' Affairs, Department of:
### Education Trust Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Education Trust Fund</td>
<td>Earmarked Funds</td>
</tr>
<tr>
<td>1</td>
<td>(a) Administration of Veterans' Affairs Program</td>
<td>3,349,751</td>
</tr>
<tr>
<td>2</td>
<td>(b) Student Financial Aid Program, Estimated</td>
<td>20,050,250</td>
</tr>
</tbody>
</table>

For reimbursement to every state institution of higher learning, college, university, community college, junior college or technical college in which benefits are given to veterans, their spouses, widows, or children under the provisions of Code of Alabama 1975, Sections 31-6-1 through 31-6-17.

**SOURCE OF FUNDS:**

- **ETF**


Total Veterans' Affairs, Department of

| ETF | 23,400,001 |

40. **Youth Services, Department of:**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>(a) Financial Assistance Program (School District)</td>
<td>8,744,817</td>
</tr>
</tbody>
</table>

The above appropriation shall be expended by the Youth Services Department District in a manner consistent with the funding formula cooperatively established by the Youth Services Board and the State Board of Education pursuant to the provisions of the Code of Alabama 1975, Sections 44-1-70 through 44-1-77.

<table>
<thead>
<tr>
<th>Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>(b) Youth Services Program</td>
<td>50,819,342</td>
</tr>
</tbody>
</table>

**SOURCE OF FUNDS:**

- **ETF**


Federal and Local Funds

<p>| ETF | 15,272,826 |</p>
<table>
<thead>
<tr>
<th></th>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Youth Services, Department of</td>
<td>59,564,159</td>
<td>15,272,826</td>
<td>74,836,985</td>
</tr>
<tr>
<td>3C. Colleges and Universities:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Alabama Agricultural and Mechanical University, Board of Trustees:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Operations and Maintenance</td>
<td>43,742,614</td>
<td>44,101,515</td>
<td>87,844,129</td>
</tr>
<tr>
<td>and Program Support</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Of the above appropriation,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$100,000 shall be expended for</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the Black Archives Museum.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Extension-Urban Affairs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and New Non-Traditional Land Grant Programs</td>
<td>3,913,247</td>
<td></td>
<td>3,913,247</td>
</tr>
<tr>
<td>(c) Agricultural Research Station Fixed Costs</td>
<td>300,000</td>
<td></td>
<td>300,000</td>
</tr>
<tr>
<td>(d) Auxiliary Enterprises</td>
<td></td>
<td>11,550,000</td>
<td>11,550,000</td>
</tr>
<tr>
<td>(e) Restricted Funds</td>
<td></td>
<td>31,207,240</td>
<td>31,207,240</td>
</tr>
<tr>
<td>(f) Agricultural Research and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extension-State Match</td>
<td>1,501,585</td>
<td></td>
<td>1,501,585</td>
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<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>49,457,446</td>
<td></td>
<td></td>
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<tr>
<td>(2) Federal and Other Funds</td>
<td></td>
<td>86,858,755</td>
<td></td>
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<tr>
<td>Total Alabama Agricultural and</td>
<td>49,457,446</td>
<td>86,858,755</td>
<td>136,316,201</td>
</tr>
<tr>
<td>Mechanical University, Board</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>of Trustees</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Alabama A and M University,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Trustees-Miles College Consortium:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Alabama A and M University-Miles College Consor-</td>
<td>550,000</td>
<td></td>
<td>550,000</td>
</tr>
<tr>
<td>tium</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>550,000</td>
<td></td>
<td></td>
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<tr>
<td>Total Alabama A and M University, Board of Trustees-Miles</td>
<td>550,000</td>
<td></td>
<td>550,000</td>
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<tr>
<td>Education Trust Fund</td>
<td>Earmarked Funds</td>
<td>Appropriation Total</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>----------------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>College Consortium</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Alabama State University, Board of Trustees:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Operations and Maintenance and Program Support</td>
<td>47,181,108</td>
<td>36,689,945</td>
<td>83,871,053</td>
</tr>
<tr>
<td>Of the above appropriation, $1,150,000 shall be expended for Cooperative Efforts to Enhance Community Educational Institutions and $200,000 shall be expended for dormitory renovations.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Title VI Program Enhancement</td>
<td>1,657,477</td>
<td>1,657,477</td>
<td></td>
</tr>
<tr>
<td>The proposed spending plan for the above Title VI Program Enhancement appropriation is as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consultants and Faculty</td>
<td>462,264</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instructional Support</td>
<td>1,195,213</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Desegregation Planning</td>
<td>184,906</td>
<td>184,906</td>
<td></td>
</tr>
<tr>
<td>The above appropriations in Title VI Program Enhancement and Desegregation Planning from the ETF are to be released and used as restricted by and in compliance with the Settlement Agreement and Final Order in the Knight v. Alabama, Civil Action CV 83-M-1676, 900 F Supp 272.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Auxiliary Enterprises</td>
<td></td>
<td>9,258,189</td>
<td>9,258,189</td>
</tr>
<tr>
<td>(e) Restricted Funds</td>
<td></td>
<td>32,336,054</td>
<td>32,336,054</td>
</tr>
</tbody>
</table>

**SOURCE OF FUNDS:**

(1) ETF | 49,023,491 |
(2) Federal and Other Funds | 78,284,188 |
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>49,023,491</td>
<td>78,284,188</td>
<td>127,307,679</td>
</tr>
<tr>
<td>198,581,422</td>
<td>190,401,113</td>
<td>388,982,535</td>
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<tr>
<td>349,829,308</td>
<td>1,183,664,733</td>
<td>1,533,494,041</td>
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<tr>
<td>57,770,064</td>
<td>44,562,000</td>
<td>102,332,064</td>
</tr>
<tr>
<td>4,132,177</td>
<td></td>
<td>4,132,177</td>
</tr>
</tbody>
</table>

4. Alabama, University of, Board of Trustees:

(a) Operations and Maintenance and Program Support for the University of Alabama at Tuscaloosa

The President of the University of Alabama shall implement a Workforce Development plan utilizing the existing Minority Technology Network. Of the above appropriation to the University of Alabama at Tuscaloosa, $100,000 shall be expended for the Special Outreach Program, and $250,000 shall be expended for the Alabama Center for Civic Life (the David Matthews Center). Of the above appropriation, $700,000 more than expended in FY 2006 shall be allocated and expended for the Minority Technology Network.

(b) Operations and Maintenance and Program Support for the University of Alabama at Birmingham

Of the above appropriation, $500,000 shall be expended for the Minority Business Training-Economic Development Program; $150,000 shall be expended for the Gregory Fleming James Cystic Fibrosis Program; and $250,000 shall be expended for the High School Athletic Training Program.

(c) Operations and Maintenance and Program Support for the University of Alabama in Huntsville

(d) Special Mental Health and
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chauncey Sparks Center for Developmental and Learning Disorders, University of Alabama at Birmingham (ETF)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>70,000</td>
<td>70,000</td>
</tr>
<tr>
<td>(e) School of Optometry Fund-Transfer to University of Alabama at Birmingham School of Optometry</td>
<td>140,339,240</td>
<td>140,339,240</td>
</tr>
<tr>
<td>(f) Auxiliary Enterprises</td>
<td>513,386,000</td>
<td>513,386,000</td>
</tr>
<tr>
<td>(g) Restricted Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>610,312,971</td>
<td></td>
</tr>
<tr>
<td>(2) Federal and Other Funds</td>
<td>2,072,423,086</td>
<td></td>
</tr>
<tr>
<td>Total Alabama, University of, Board of Trustees</td>
<td>610,312,971</td>
<td>2,072,423,086</td>
</tr>
<tr>
<td>2,682,736,057</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Auburn University, Board of Trustees:

(a) Operations and Maintenance and Program Support, Auburn University

Of the above appropriation, $1,000,000 shall be expended for the School of Pharmacy for biotechnical drug development and enhancing pharmaceutical science research leading to new drugs, which is complimentary to other biomedical research underway in Alabama; $150,000 shall be expended to provide economic research services to the State of Alabama, Department of Finance; $200,000 shall be expended for fire ant eradication/research at the Department of Entomology; $100,000 shall be expended for the Jules Collins Smith Art Museum; and $50,000 shall be expended at the Vet-
erinary School for the Large
Animal Program.
(b) Auxiliary Enterprises ...
(c) Restricted Funds ...........
(d) Operations and Maintenance
and Program Support, Alabama
Agricultural Experiment Station .................
(e) Operations and Maintenance
and Program Support, Alabama
Cooperative Extension System
(ETF) .........................
Of the above appropriation,
$100,000 shall be expended for
poultry research.
(f) Operations and Maintenance
and Program Support, Auburn
University at Montgomery ...
Of the above appropriation to
Auburn University at Montgomery, $337,500 shall be ex-
pended for the Statewide Eco-
nomic Resources Initiative
Education Support
(S.E.R.I.E.S.) Program to pro-
vide a statewide economic im-
pact education support system
dedicated to providing technolo-
gical capabilities to gov-
ernment agencies; $150,000
shall be expended for the fur-
ther implementation of SMART
Governing; and $150,000 shall
be expended for the GAAT/CPM
Program.

SOURCE OF FUNDS:

(1) ETF ......................... 334,380,516
(2) Federal and Other Funds ...
Total Auburn University, Board
of Trustees ..................... 334,380,516 478,476,806 812,857,322

6. Education, State Board of -
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Athens State University:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Operations and Maintenance and Program Support</td>
<td>15,059,802</td>
<td>9,762,850</td>
</tr>
<tr>
<td>(b) Auxiliary Enterprises</td>
<td></td>
<td>108,000</td>
</tr>
<tr>
<td>(c) Restricted Funds</td>
<td></td>
<td>14,576,158</td>
</tr>
<tr>
<td><strong>SOURCE OF FUNDS:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td></td>
<td>15,059,802</td>
</tr>
<tr>
<td>(2) Federal and Other Funds</td>
<td></td>
<td>24,447,008</td>
</tr>
<tr>
<td><strong>Total Education, State Board of - Athens State University</strong></td>
<td></td>
<td>39,506,810</td>
</tr>
<tr>
<td></td>
<td>15,059,802</td>
<td>24,447,008</td>
</tr>
</tbody>
</table>

7. **Jacksonville State University, Board of Trustees:**

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Operations and Maintenance and Program Support</td>
<td>49,030,131</td>
<td>44,480,441</td>
</tr>
<tr>
<td>Of the above appropriation, $1,700,000 shall be expended by the Alabama Small Business Institute of Commerce; $60,000 shall be expended for the Alabama Writing Project; and $500,000 shall be expended for the Wellness Initiative.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Auxiliary Enterprises</td>
<td></td>
<td>6,449,356</td>
</tr>
<tr>
<td>(c) Restricted Funds</td>
<td></td>
<td>16,926,000</td>
</tr>
<tr>
<td><strong>SOURCE OF FUNDS:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td></td>
<td>49,030,131</td>
</tr>
<tr>
<td>(2) Federal and Other Funds</td>
<td></td>
<td>67,855,797</td>
</tr>
<tr>
<td><strong>Total Jacksonville State University, Board of Trustees</strong></td>
<td></td>
<td>116,885,929</td>
</tr>
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<td></td>
<td>49,030,131</td>
<td>67,855,797</td>
</tr>
</tbody>
</table>

8. **Montevallo, University of, Board of Trustees:**

<table>
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<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
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</thead>
<tbody>
<tr>
<td>(a) Operations and Maintenance and Program Support</td>
<td>24,040,295</td>
<td>15,489,775</td>
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</table>
### HB213

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Montevallo, University of, Board of Trustees</strong></td>
<td><strong>24,040,295</strong></td>
<td><strong>25,717,348</strong></td>
<td><strong>49,757,643</strong></td>
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</table>

#### 9. North Alabama, University of, Board of Trustees:

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total North Alabama, University of, Board of Trustees</strong></td>
<td><strong>33,707,514</strong></td>
<td><strong>41,522,714</strong></td>
<td><strong>75,230,228</strong></td>
</tr>
</tbody>
</table>

#### 10. South Alabama, University of, Board of Trustees:

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total South Alabama, University of, Board of Trustees</strong></td>
<td><strong>138,168,037</strong></td>
<td><strong>397,218,367</strong></td>
<td><strong>535,386,404</strong></td>
</tr>
</tbody>
</table>
11. Troy University, Board of Trustees:

(a) Operations and Maintenance and Program Support ........ 58,150,763 129,529,036 187,679,799

Of the above appropriation, $250,000 shall be expended for the Interpreter’s Program and $100,000 shall be expended for the Center for International Business and Economic Development.

(b) Auxiliary Enterprises ...

(c) Restricted Funds ........ 8,128,953 8,128,953

(d) FTE Equity Project ...... 15,694,867 15,694,867

4,000,000 4,000,000

SOURCE OF FUNDS:

(1) ETF .......................... 62,150,763

(2) Federal and Other Funds 153,352,856

Total Troy University, Board of Trustees .................. 62,150,763 153,352,856 215,503,619

12. West Alabama, University of, Board of Trustees:

(a) Operations and Maintenance and Program Support ........ 16,968,622 8,213,521 25,182,143

Of the above appropriation, $876,000 shall be expended for the Alabama Medical Education Consortium; $150,000 shall be expended for the Regional Wellness and Fitness Center; $250,000 shall be expended for the Black Belt Treasures Initiative; $250,000 shall be expended for the Economic and Small Business Development Program; and $50,000 shall be expended for the National Young Farmers Education Association.

(b) Auxiliary Enterprises ...

(c) Restricted Funds ........... 3,195,600 3,195,600

661,327 661,327
### SOURCE OF FUNDS:

<table>
<thead>
<tr>
<th></th>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) ETF</td>
<td>16,968,622</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Federal and Local Funds</td>
<td></td>
<td>12,070,448</td>
<td></td>
</tr>
<tr>
<td>Total West Alabama, University of, Board of Trustees</td>
<td>16,968,622</td>
<td>12,070,448</td>
<td>29,039,070</td>
</tr>
</tbody>
</table>

### 3D. Other:

1. **Deaf and Blind, Alabama Institute for, Board of Trustees:**
   
   (a) Adult Programs ............... 11,228,338 7,291,387 18,519,725
   
   (b) Children and Youth Programs ......................... 31,347,431 4,431,145 35,778,576
   
   (c) Industries for the Blind 9,410,287 21,786,772 31,197,059
   
   (d) Ear Institute Program 250,000

   **SOURCE OF FUNDS:**

   (1) ETF 52,236,056

   (2) Federal and Other Funds 33,509,304

   **Total Deaf and Blind, Alabama Institute for, Board of Trustees** 52,236,056 33,509,304 85,745,360

2. **Knight v. Alabama - Financial Obligations:**

   (a) Support of State Universities Program, Estimated 12,331,958

   Pursuant to the Settlement Agreement and Final Order in the Knight v. Alabama case CV-83-M-1676, the appropriation above includes the following:

   Alabama State University-Trust for Educational Excellence 1,000,000
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama State</td>
<td></td>
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</tr>
<tr>
<td>University -Trust for</td>
<td>Educational</td>
<td></td>
</tr>
<tr>
<td>Educational Excellence Matching Funds of up to $1,000,000 To provide up to $1,000,000 to the extent same has been matched by gifts, grants, and contributions to the Trust.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alabama A &amp; M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>University -Trust for</td>
<td>Educational</td>
<td></td>
</tr>
<tr>
<td>Educational Excellence Matching Funds of up to $1,000,000 To provide up to $1,000,000 to the extent same has been matched by gifts, grants, and contributions to the Trust.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alabama State</td>
<td>Scholarships to Diversify Funds Matching Funds of up to $1,000,000 To provide up to $1,000,000 pursuant to the requirements of the Settlement Agreement and Final Order. Any funds remaining after the payment of the scholarships shall be transferred to the Alabama Commission on Higher Education-Alabama Student Assistance Program fund and shall not revert to the ETF at the end of the fiscal year.</td>
<td></td>
</tr>
<tr>
<td>University -for</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scholarships to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diversify Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Matching Funds of up to $1,000,000 To provide up to $1,000,000 pursuant to the requirements of the Settlement Agreement and Final Order. Any funds remaining after the payment of the scholarships shall be transferred to the Alabama Commission on Higher Education-Alabama Student Assistance Program fund and shall not revert to the ETF at the end of the fiscal year.</td>
<td>1,000,000</td>
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<tr>
<td>Education Trust Fund</td>
<td>Earmarked Funds</td>
<td>Appropriation Total</td>
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<tr>
<td>University-for...</td>
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<tr>
<td>Scholarships to...</td>
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<tr>
<td>Diversify Funds...</td>
<td></td>
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<td>of up to .....</td>
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<tr>
<td>To provide up to $1,000,000 pursuant to the requirements of the Settlement Agreement and Final Order. Any funds remaining after the payment of the scholarships shall be transferred to the Alabama Commission on Higher Education-Alabama Student Assistance Program fund and shall not revert to the ETF at the end of the fiscal year.</td>
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<tr>
<td>Alabama State University Master of Accountancy Program</td>
<td>152,026</td>
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<tr>
<td>Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the eighth year of eight years of funding for this program.</td>
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<tr>
<td>Health Information Management Program</td>
<td>479,323</td>
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<td>Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the eighth year of eight years of funding for this program.</td>
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<tr>
<td>Occupational Therapy Program</td>
<td>520,980</td>
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<tr>
<td>Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the eighth year of eight years of funding for this program.</td>
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<tr>
<td>Physical Ther-</td>
<td>1,630,747</td>
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</table>
Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the eighth year of eight years of funding for this program.

EdD Educational Leadership, Policy & Law 2,258,364

Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the sixth year of eight years of funding for this program.

PhD in Microbiology 1,290,518

Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the second year of eight years of funding for this program.

SOURCE OF FUNDS:

(1) ETF .......................... 12,331,958

Total Knight v. Alabama - Financial Obligations .......... 12,331,958

To be allocated and expended in accordance with the Final Order and Settlement Agreement in Knight v. Alabama, Civil Action CV 83-M-1676, 900 F Supp 272.

Section 4. In addition to all other appropriations from the ETF for FY 2008, there is hereby appropriated the following amounts to the following entities for a one-time in-
crease in the Teachers' Retirement System employer rate of .69% for FY 2008 to fund a retiree bonus pursuant to House Bill 385 of the 2007 Regular Session. In the event the one-time retiree bonus fails to become law, the appropriations made from the ETF for FY 2008 in this section shall be null and void.

<table>
<thead>
<tr>
<th>Entity</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. K-12 Foundation Program</td>
<td>$18,831,327</td>
</tr>
<tr>
<td>b. K-12 Transportation</td>
<td>937,688</td>
</tr>
<tr>
<td>c. State Department of Education - Operations and Maintenance</td>
<td>86,861</td>
</tr>
<tr>
<td>d. Two-year College System</td>
<td></td>
</tr>
<tr>
<td>1. Two-year colleges-Operations and</td>
<td></td>
</tr>
<tr>
<td>Maintenance</td>
<td>1,213,340</td>
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<tr>
<td>2. Postsecondary Administration</td>
<td>32,331</td>
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<tr>
<td>3. Adult Education</td>
<td>2,329</td>
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<tr>
<td>4. C.I.T.Y. Program</td>
<td>12,256</td>
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<tr>
<td>5. Special Populations</td>
<td>14,364</td>
</tr>
<tr>
<td>e. Alabama School of Fine Arts</td>
<td>30,257</td>
</tr>
<tr>
<td>f. Alabama Commission on Higher Education-Operations and Maintenance</td>
<td>12,390</td>
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<tr>
<td>g. Alabama Industrial Development and</td>
<td>55,963</td>
</tr>
</tbody>
</table>
Training Institute

Marine Environmental Sciences Consortium

20 h. School of Math and Sciences 13,567

21 i. School of Math and Sciences 18,027

22 j. Rehabilitation Services

23 1. Children's Services 40,557

24 2. Early Intervention 351

25 3. Rehabilitation Services 51,808

26 4. Homebound Program 10,376

Department of Youth Services - Operations and Maintenance 144,022

Department of Youth Services -

27 k. School System 33,042

Alabama Institute for Deaf and

28 m. Blind

30 1. Adult Program 54,325

31 2. Children's Program 113,918

32 3. Industries 51,796

33 n. University of Alabama System

34 1. University of Alabama 835,951

35 2. University of Alabama at Birmingham 4,076,065
3. University of Alabama at
   Huntsville 330,737
   o. Alabama A&M University 279,489
   p. Alabama State University 243,068
   q. Athens State University 88,791
   r. Auburn University System

   1. Auburn University (includes Auburn Experiment Station and Auburn
   Cooperative Extension Service) 2,071,201
   2. Auburn University in Montgomery 159,088
   s. Jacksonville State University 275,969
   t. University of Montevallo 113,253
   u. University of North Alabama 199,012
   v. University of South Alabama 1,568,892
   w. Troy University 307,208
   x. University of West Alabama 90,076

Section 5. The appropriations from the ETF in this
section represent 50% of the interest income accumulated at
the rate of 6% from FY 1992 through FY 2002 for the K-12
school systems that did not receive allocations of interest
from their Sixteenth Section Land Grants held in trust by the
State of Alabama. This appropriation is pursuant to the Class Settlement Agreement signed by the Covington County Circuit Court on December 9, 2004.

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<thead>
<tr>
<th>School System Name</th>
<th>Distribution of Interest</th>
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<tbody>
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<td>Autauga County</td>
<td>$2,152</td>
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<tr>
<td>Barbour County</td>
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<td>Bibb County</td>
<td>13,474</td>
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<td>Blount County</td>
<td>5,573</td>
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<td>Cherokee County</td>
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<td>Clay County</td>
<td>273</td>
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<td></td>
<td>County</td>
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<td>Cleburne County</td>
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<td>Pell City</td>
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<td>18</td>
<td>Shelby County</td>
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</table>
1. Sumter County  41,067
2. Talladega County  200
3. Sylacauga City  47
4. Talladega City  29
5. Tallapoosa County  14
6. Tuscaloosa County  10,950
7. Tuscaloosa City  41
8. Walker County  346
9. Washington County  303,596
10. Wilcox County  30,619
11. Winston County  26,025
12. Haleyville City  5,143

Section 6. 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 7. The appropriations made herein to an agency or entity are 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 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 asking for or asking about the status of a project that falls within the legal purpose or function of that agency.

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

Section 9. The State Superintendent of Education shall make requisitions to the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds appropriated to the State Department of Education and/or the State Board of Education in this act, whereupon the Comptroller shall issue his warrant therefor. All other appropriations in this act shall be paid after proper requisitions are made to the State Comptroller in the manner now provided by law.

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

Section 11. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in the general appropriations act for the fiscal year ending September 30, 2008. All agencies and institutions enumerated in this act that receive services from other governmental agencies enumerated in this act or the general appropriations act shall make full payment in a timely manner (as determined by the Department of Finance) for such services.

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

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

Section 14. All state-mandated and state-funded salary increases and fringe benefits for Child Nutrition Program workers shall be fully-funded from the Foundation Program appropriation in this act, and shall therefore be subsequently fully-funded by all local boards of education from funds provided in this act from Other Current Expense and not from funds generated by the Child Nutrition Program unless the local school system's Child Nutrition Program has in excess of a three-month operating reserve. Before any funds may be utilized by the local board of education to pay for salary or fringe benefits, the State Department of Education
Child Nutrition Program Administrator shall conduct an analysis of each local board of education's Child Nutrition Program, and certify that the program meets the three-month balance as of the end of the previous fiscal year and shall therefore insure that the use of the funds in excess of a three-month balance will not be detrimental to the local Child Nutrition Program. The State Department of Education Child Nutrition Program Administrator shall certify to the State Superintendent of Education that funds utilized in excess of a three-month balance as of the end of the previous fiscal year are in excess of any funds contained in an approved corrective plan submitted by the local school system's Child Nutrition Program for expenditures at each applicable school site for facilities, equipment, personnel, and/or salary schedule adjustments. It is the intent that no employee shall suffer a reduction of hours, benefits, compensation, or termination of employment and that no local Child Nutrition Program services shall be contracted out as a result of this section. It is further the intent of the Legislature that the State Department of Education shall help to develop a plan to eliminate any financial deficiencies that may arise in a local Child Nutrition Program as a result of this section, and that disputes which may arise regarding corrective action plans are to be resolved by the State Department of Education consolidated monitoring teams. The State Department of
Education shall give an annual report to the Legislature, the Chair of the House Education Appropriations Committee, the Chair of the Senate Finance and Taxation-Education Committee, and the Legislative Fiscal Officer one month prior to each regular session of the Legislature on the impact of this section on the local Child Nutrition Programs.

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

Section 16. Pursuant to the requirement that the Legislature certify the anticipated and appropriated beginning balance for FY 2008, the amount anticipated and appropriated by the Legislature is $425,402,095. In the event the beginning balance on October 1, 2007, in the ETF exceeds $425,402,095, Section 40-1-32.1 to the contrary notwithstanding, 20% of any balance in excess of $425,402,095 shall be transferred by the State Comptroller into the Education Trust Fund Proration Prevention Account created by Section 40-1-32.1.

Section 17. If any section, paragraph, sentence, clause, provision or portion of this act or all or any portion
of the appropriations herein made is held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 18. All laws or parts of laws, general, special, private or local in conflict with or inconsistent with the provisions of this act are hereby expressly repealed.

Section 19. This act shall become effective on October 1, 2007.
House of Representatives

I hereby certify that the within Act originated in and was passed by the House 03-MAY-07, as amended.

Greg Pappas
Clerk

Senate 29-MAY-07
Amended and Passed

House 29-MAY-07
Concurred in Senate Amendment

APPROVED June 7, 2007
TIME 2:30 p.m.

Bob Riley
GOVERNOR

Alabama Secretary Of State
Act Num.: 2007-361
Bill Num.: H-213