

1 SB570
2 112515-2
3 By Senator Sanders
4 RFD: Finance and Taxation Education
5 First Read: 07-APR-09

ACT# 2009-**339**



SB570

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, 2010.

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, 2010, 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.

1 Section 2. (a) The appropriations provided for in
2 this act shall be paid from funds in the State Treasury to the
3 credit of the Education Trust Fund, Alabama Peace Officers'
4 Standards and Training Fund, Impaired Drivers Trust Fund,
5 Driver Education and Training Fund, Special Education
6 Catastrophic Fund, Alabama Veterans Assistance Fund, and
7 Public School Fund and are hereby made for the support of
8 public education in Alabama for the fiscal year ending
9 September 30, 2010, and the appropriations herein made shall
10 be subject to the provisions, terms, conditions and
11 limitations of the Budget and Financial Control Act (Code of
12 Alabama 1975, Sections 41-4-80 et seq.), the provisions of the
13 Budget Management Act of 1976 (Code of Alabama 1975, Sections
14 41-19-1 et seq.), and shall be in the amounts hereinafter
15 specified.

16 (b) Amounts shown hereinunder the columns "Earmarked
17 Funds" and "Appropriation Total" are as set forth for the
18 purpose of establishing amounts estimated to be available by
19 programmatic area from sources other than those listed in
20 subsection (a) of this Section 2, in order, upon consideration
21 of such other funds so estimated to be available, to promote
22 the accountability for an efficient use of funds available,
23 and the same are hereby appropriated by the Legislature.
24 Provided, however, that regardless of the ending date of any
25 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.

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
3A. Legislative Branch:			
1. Examiner of Public Accounts:			
(a) Audit Services Program ..	7,450,000		7,450,000
SOURCE OF FUNDS:			
(1) ETF	7,450,000		
Total Examiner of Public Ac- counts	7,450,000		7,450,000
<p>The above appropriation shall be used for educational au- dits. The Department of Exam- iners of Public Accounts is hereby authorized to examine as deemed necessary all appro- priations herein made for com- pliance with the laws of the State of Alabama. Any examina- tion performed shall be in accordance with the provisions of Title 41, Chapter 5, Code of Alabama 1975. State enti- ties are hereby authorized to reimburse the Examiner of Pub- lic Accounts the full cost for auditing funds from the Ameri- can Recovery and Reinvestment Act of 2009 and such funds are hereby appropriated to the Examiners of Public Accounts.</p>			
2. Law Institute, Alabama:			
(a) Support of Other Educa- tional Activities Program .	250,486		250,486

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:			
2	(1) ETF	250,486		
3	Total Law Institute, Alabama	250,486		250,486
4	3. Legislative Fiscal Office:			
5	(a) Legislative Operations and			
6	Support Program	374,492		374,492
7	SOURCE OF FUNDS:			
8	(1) ETF	374,492		
9	Total Legislative Fiscal Of-			
10	fice	374,492		374,492
11	4. Legislative Reference Ser-			
12	vice:			
13	(a) Legislative Operations and			
14	Support Program	107,756		107,756
15	SOURCE OF FUNDS:			
16	(1) ETF	107,756		
17	Total Legislative Reference			
18	Service	107,756		107,756
19	This appropriation to the Leg-			
20	islative Reference Service			
21	shall be expended for the re-			
22	vision of Title 16 of the Code			
23	of Alabama 1975.			
24	3B. Executive Branch:			
25	1. American Legion and Auxil-			
26	iary Scholarships:			
27	(a) Financial Assistance Pro-			
28	gram, Estimated	112,500		112,500
29	SOURCE OF FUNDS:			
30	(1) ETF	112,500		
31	Total American Legion and Aux-			
32	iliary Scholarships	112,500		112,500

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	To be expended under the pro-			
2	visions of Code of Alabama			
3	1975, Sections 16-31-1 through			
4	16-31-4.			
5	2. Archives and History, De-			
6	partment of:			
7	(a) Historical Resources Man-			
8	agement Program	3,606,428		3,606,428
9	SOURCE OF FUNDS:			
10	(1) ETF	3,606,428		
11	Total Archives and History,			
12	Department of	3,606,428		3,606,428
13	The above appropriation shall			
14	be expended to support the			
15	educational functions of Ar-			
16	chives and History.			
17	3. Arts, State Council on the:			
18	(a) Fine Arts Program	5,000,675	904,300	5,904,975
19	SOURCE OF FUNDS:			
20	(1) ETF	5,000,675		
21	(2) Federal Stimulus Funds,			
22	estimated		112,000	
23	(3) Federal and Local Funds .		792,300	
24	Total Arts, State Council on			
25	the	5,000,675	904,300	5,904,975
26	4. Building Commission, State:			
27	(a) Special Services Program	568,092		568,092
28	SOURCE OF FUNDS:			
29	(1) ETF-Transfer	568,092		
30	Total Building Commission,			
31	State	568,092		568,092
32	5. Child Abuse and Neglect Pre-			
33	vention, Department of:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(a) Social Services Program .	1,711,849		1,711,849
2	In accordance with Sections			
3	26-16-1 et seq., Code of Ala-			
4	bama 1975.			
5	SOURCE OF FUNDS:			
6	(1) ETF-Transfer	1,711,849		
7	Total Child Abuse and Neglect			
8	Prevention, Department of ...	1,711,849		1,711,849
9	6. Children's Affairs, Depart-			
10	ment of:			
11	(a) Social Services Program .	19,242,514		19,242,514
12	The proposed spending plan for			
13	the ETF monies included in the			
14	above program is as follows:			
15	Office of			
16	School Readiness	19,011,762		
17	Operations and			
18	Maintenance ..	230,752		
19				
20	SOURCE OF FUNDS:			
21	(1) ETF	19,242,514		
22	Total Children's Affairs, De-			
23	partment of	19,242,514		19,242,514
24				
25	7. Debt Service:			
26	(a) Debt Service Program	2,984,761	8,000,000	10,984,761
27	For payments on interest and			
28	principal of GO Bonds, Series			
29	2001-B	800,821		
30	For payments on interest and			
31	principal of GO Bonds, Series			
32	2001-A	3,563,477		
33	For payments on interest and			
34	principal of GO Bonds, Series			
35	2005-A	6,005,719		
36	For payments on endowments as			

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	follows:		
2	For interest on Auburn Univer-		
3	sity Endowment 20,280		
4	For interest on University of		
5	Alabama Endowment 61,000		
6	For interest on Grove Hill		
7	Endowment 600		
8	For interest on Public School		
9	Fund Endowment:		
10	Interest on 16th Section		
11	Lands, Estimated 410,000		
12	Interest on School Indemnity		
13	Lands, Estimated 90,000		
14	Interest on Valueless 16th		
15	Section Land 5,825		
16	For interest on Surplus Reve-		
17	nue 26,764		
18	Interest on James Wallace Fund		
19	..... <u>275</u>		
20	Total Interest on Public		
21	School Fund Endowment 532,864		
22	SOURCE OF FUNDS:		
23	(1) ETF 2,451,897		
24	(2) ETF-Transfer 532,864		
25	(3) Alabama Capital Improve-		
26	ment Trust Fund 8,000,000		
27	Total Debt Service 2,984,761	8,000,000	10,984,761
28			
29	8. Dental Scholarship Awards,		
30	Board of:		
31	(a) Support of Other Educa-		
32	tional Activities Program . 295,913		295,913
33	To be expended under the pro-		
34	visions of Code of Alabama		
35	1975, Sections 16-47-76		
36	through 16-47-81.		
37	SOURCE OF FUNDS:		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	295,913		
2	Total Dental Scholarship			
3	Awards, Board of	295,913		295,913
4	9. Education, State Board of -			
5	Local Boards of Education:			
6	(a) Foundation Program	3,295,124,679	683,813,711	3,978,938,390
7	Notwithstanding Section			
8	16-32-232 of the Code of Ala-			
9	bama 1975, of the above appro-			
10	priation that is allocated to			
11	fund current teacher units,			
12	\$356,500 shall be earmarked to			
13	fund teacher units for kinder-			
14	garten teachers in the			
15	Saraland City School System.			
16	(b) Transportation Program ..	299,895,832		299,895,832
17	The State Superintendent is			
18	directed to withhold transpor-			
19	tation funds used to pay em-			
20	ployee benefits including but			
21	not limited to PEEHIP, sick			
22	leave, teacher retirement, and			
23	F.I.C.A. from any local board			
24	which does not directly pro-			
25	vide these benefits to trans-			
26	portation employees. No local			
27	board shall be allowed to con-			
28	vert funding provided in this			
29	budget for employee benefits			
30	into other uses or expendi-			
31	tures. The above appropriation			
32	includes fleet renewal funds			
33	of \$5,024 per bus. No fleet			
34	renewal funds shall be sent to			
35	any school system which does			
36	not own its own buses. The			
37	State Examiner of Public Ac-			
38	counts shall assure compli-			
39	ance. The rate per day for two			
40	personal days and five sick			
41	days for transportation per-			
42	sonnel shall be \$40. An appro-			
43	priately certified transporta-			
44	tion substitute shall be em-			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	ployed for the absent trans-		
2	portation employee for each		
3	day the employee is absent.		
4	The Department of Education is		
5	directed to withhold funds		
6	from local systems not employ-		
7	ing substitutes for absent		
8	transportation employees. Such		
9	withheld funds shall revert to		
10	the Education Trust Fund.		
11	(c) At-Risk Student Program .	24,504,145	24,504,145
12	Each district shall receive		
13	its pro rata share for each		
14	student who is defined as be-		
15	ing at-risk of dropping out of		
16	school or is performing at an		
17	academic level below current		
18	grade placement. School sys-		
19	tems should be encouraged to		
20	successfully move students		
21	from the at-risk category.		
22	Therefore, a school system		
23	shall maintain its at-risk		
24	funding for every student re-		
25	moved from its at-risk defini-		
26	tion for the next two fiscal		
27	years. Local school districts		
28	shall maintain separate ac-		
29	counts for all funds received		
30	in this category. The funds		
31	provided in this section are		
32	specifically designated for		
33	special programs to serve		
34	these students and may not be		
35	used as a part of a local		
36	school district's general op-		
37	erating budget. Local school		
38	systems in partnership with		
39	and funding from the Depart-		
40	ment of Education are expected		
41	to establish programs which		
42	will increase learning oppor-		
43	tunities for at-risk students.		
44	These programs shall include,		
45	but not be limited to, af-		
46	ter-school tutoring, summer		
47	schools, weekend schools,		
48	character education programs,		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	drop-out prevention programs,		
2	career technical education		
3	youth programs, alternative		
4	schools, training of parents,		
5	purchase and use of web-based		
6	practice tests for the high		
7	school graduation exam and		
8	other state required standard-		
9	ized tests, programs to im-		
10	prove reading, and/or math,		
11	and/or science skills to in-		
12	crease grade-to-grade promo-		
13	tion, high school graduation		
14	and college preparedness, and		
15	other activities designed to		
16	assist at-risk students. The		
17	State Department of Education		
18	shall monitor the use of these		
19	funds and shall assure that		
20	they are used only in a manner		
21	designed to provide additional		
22	assistance above and beyond		
23	the regular instructional pro-		
24	gram for at-risk students.		
25	At-risk funds shall not be		
26	used to supplant any other		
27	funding of summer schools or		
28	other activities which are		
29	designed to serve the general		
30	student population but must be		
31	used for specific programs for		
32	at-risk students. At-risk stu-		
33	dents shall be defined as		
34	those students who score at		
35	level 1 or level 2 (not profi-		
36	cient/partially proficient) in		
37	reading or mathematics on the		
38	current state assessments.		
39	Further, local school faculty		
40	and the school principal shall		
41	make specific recommendations		
42	for students at the school to		
43	be included as participants in		
44	the at-risk program. At-risk		
45	funds may be expended for stu-		
46	dent programs to improve the		
47	efficiency and utilization of		
48	technology-based educational		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	resources in the classroom. As		
2	a part of the above appropri-		
3	ation for the At-Risk Student		
4	Program, there is hereby ap-		
5	propriated \$750,000 for the		
6	Alabama Student Information		
7	Management System (ASIMS).		
8	ASIMS will connect each school		
9	in Alabama with the Department		
10	of Education through a common		
11	software program in order to		
12	assimilate data necessary to		
13	comply with state accountabil-		
14	ity standards, the collection		
15	of statewide student health		
16	data, Legislative Fiscal Of-		
17	fice requests, and the 2001		
18	Reauthorization of the Elemen-		
19	tary and Secondary Education		
20	Act (ESEA). It is the intent		
21	of the Legislature that		
22	schools and school systems		
23	involve the community in plan-		
24	ning and implementing at-risk		
25	programs. Therefore, schools		
26	shall expend at least 20% of		
27	the at-risk funds to partner		
28	with non-profit community or-		
29	ganizations in planning and		
30	implementing at-risk programs		
31	which directly assist in im-		
32	proving academic performance.		
33	Such programs may include, but		
34	not be limited to, Boys and		
35	Girls Clubs, YMCAs, 21st Cen-		
36	tury Leadership, Pell City		
37	Bridge Builders, Alabama Young		
38	Farmers Education Program, and		
39	local civic and charitable		
40	organizations. It is the in-		
41	tent of the Legislature that		
42	these funds not be utilized to		
43	partner with governmental nor		
44	quasi-governmental agencies		
45	and entities whose functions		
46	already include programs des-		
47	ignated for at-risk funding.		
48	The local school board shall		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	set forth the efforts made to		
2	identify and involve community		
3	organizations. The local board		
4	shall revert to the ETF any		
5	portion of the 20% of its		
6	at-risk funding which was not		
7	expended on partnerships with		
8	qualifying community organiza-		
9	tions. If after a diligent		
10	process the local board cannot		
11	identify effective community		
12	organizations, the local board		
13	may request a waiver from this		
14	20% requirement from the State		
15	Superintendent of Education.		
16	The local board must submit an		
17	alternative plan to the State		
18	Superintendent accompanying		
19	the request for the waiver.		
20	The State Superintendent may		
21	approve a waiver only upon		
22	good and sufficient cause. In		
23	appropriate situations, busi-		
24	nesses may partner with		
25	schools or school systems for		
26	at-risk programs but may not		
27	receive any compensation or		
28	reimbursement for expenses or		
29	other costs. The State Board		
30	of Education is hereby autho-		
31	rized, at its discretion, to		
32	institute a pilot program to		
33	employ behavioral support spe-		
34	cialists in public middle		
35	schools.		
36	(d) Endowment Interest Pro-		
37	gram-Public School Fund,		
38	Estimated	532,864	532,864
39	(e) Capital Outlay Pro-		
40	gram-Public School Fund,		
41	Estimated	195,000,000	195,000,000
42	Of the above appropriation		
43	from the Public School Fund,		
44	(a) \$175,000,000 shall be dis-		
45	tributed through the Founda-		
46	tion Program, with local		
47	school systems providing		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	matching funds as a condition			
2	of receiving a distribution			
3	from the Public School Fund,			
4	in accordance with Section			
5	16-13-234(e) of the Code of			
6	Alabama 1975; and (b) the re-			
7	maining \$20,000,000 shall be			
8	equitably distributed to local			
9	school systems in the same			
10	manner as other Public School			
11	Fund distributions, but local			
12	school systems will not be			
13	required to provide matching			
14	funds as a condition of re-			
15	ceiving such distribution,			
16	notwithstanding any provision			
17	of law to the contrary.			
18	(f) Board of Adjustment	478,380	478,380	
19	(g) School Nurses Program ...	33,777,343	33,777,343	
20	To be distributed so that each school system shall receive one nurse and additional			
21	nurse or fractions of a nursing allocation based upon the average daily membership			
22	during the first 20 scholastic days after Labor Day of the preceding school year.			
23	The School Nurses Program shall use the following salary matrix to determine nursing			
24	salaries, based on 187 contract days and seven and one-half working hours per day.			
25	No funds provided herein for the School Nurses Program shall be used for the payment			
26	of any salaries of nurses who are not under the direct control, employment, and su-			
27	pervision of local boards of education. Any part-time employee pay shall conform to			
28	the pro-rata share of the following matrix:			
29	Years Expe-			
30	rience	LPN	RN	RN/MS
31	less than 3	19,000	36,144	41,564
32	3 but less			
33	than 6	20,881	39,756	45,720
34	6 but less			
35	than 9	21,779	41,497	47,721
36	9 but less			
37	than 12	22,062	42,053	48,362
38	12 but less			
39	than 15	22,459	42,818	49,238
40	15 but less			
41	than 18	22,953	43,794	50,364
42	18 but less			
43	than 21	23,229	44,360	51,012

			Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	21 but less				
2	than 24	23,507	44,926	51,666	
3	24 but less				
4	than 27	24,007	45,461	52,201	
5	27 or more	24,507	45,997	52,737	
6	As a part of the above appropriation for the School Nurses Program, there is hereby				
7	appropriated \$250,000 for the collection and management of statewide student health				
8	data, school by school.				
9	(h) Capital Outlay Pro-				
10	gram-Federal and Local				
11	Funds, Estimated			43,644,984	43,644,984
12	(i) Information Technology				
13	Services Program		4,004,369		4,004,369
14	The above appropriation shall				
15	be expended by local school				
16	systems towards the position				
17	of a district technology coor-				
18	dinator that meets the job				
19	description and qualifications				
20	as established by the State				
21	Board of Education and serves				
22	as the primary point of con-				
23	tact for all technology is-				
24	sues. The District Technology				
25	Coordinator as directed by the				
26	school system shall be respon-				
27	sible for a technology program				
28	that ensures the proper ac-				
29	countability for the follow-				
30	ing: technology funds; tech-				
31	nology professional develop-				
32	ment; technology planning and				
33	reporting; coordination of				
34	technology across all pro-				
35	grams; a safe, secure, and				
36	fully operable network; tech-				
37	nology procurement and inven-				
38	tory; technology support for				
39	data management; technology				
40	support for distance learning;				
41	annual E-rate application;				
42	and, directing a program to				
43	ensure all state standards				
44	involving technology for				
45	teachers, administrators, and				

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	students are met and technol-		
2	ogy is integrated throughout		
3	the curriculum.		
4	SOURCE OF FUNDS:		
5	(1) ETF	3,657,784,748	
6	(2) Federal Stimulus Funds,		
7	estimated	179,434,391	
8	(3) Federal and Local Funds .	548,024,304	
9	(4) Public School Fund, Esti-		
10	mated	195,532,864	
11	Total Education, State Board		
12	of - Local Boards of Education		
13	.....	3,657,784,748	922,991,559 4,580,776,307
14	The above appropriation shall be distributed by the State Board of Education in ac-		
15	cordance with the provisions of the Code of Alabama 1975, Sections 16-13-230 through		
16	16-13-239, and all other laws and regulations of the State Board of Education relat-		
17	ing to the expenditure of such funds. These funds shall be used to provide a minimum		
18	school term of 180 full instructional days and for equitable educational opportuni-		
19	ties in the public schools of the state. Foundation Program calculations for FY		
20	2009-2010 are based on the funding divisors set forth below. Units earned under the		
21	Foundation Program shall be employed as regular classroom teachers until and/or un-		
22	less the local school achieves class sizes equal to or less than the following as		
23	mandated by the State Board of Education: grades K-3, maximum of 18; grades 4-6,		
24	maximum of 26; and grades 7-12, maximum of 29. The divisors listed below shall not		
25	serve to prescribe pupil-teacher ratios.		
26	Grades K-3 ...	13.8	
27	Grades 4-6 ...	21.4	
28	Grades 7-8 ...	20.0	
29	Grades 9-12 ..	18.0	
30			
31	In allocating the funds in the Foundation Program, the State Board of Education		
32	shall allot funds based on the rates established as follows:		
33	The Foundation Program shall use the following salary matrix to determine the cost		
34	of instructional salaries, based on 187 contract days, and any part-time contract		
35	shall conform to the pro-rata share of the following matrix:		
36	Years Expe-		
37	rience	BS MS 6Y DO ND	

			Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	less than 3	36,144	41,564	44,818	48,071	36,144
2	3 but less					
3	than 6	39,756	45,720	49,297	52,877	39,756
4	6 but less					
5	than 9	41,497	47,721	51,470	55,191	41,497
6	9 but less					
7	than 12	42,053	48,362	52,148	55,932	42,053
8	12 but less					
9	than 15	42,818	49,238	53,093	56,949	42,818
10	15 but less					
11	than 18	43,794	50,364	54,305	58,244	43,794
12	18 but less					
13	than 21	44,360	51,012	55,005	58,999	44,360
14	21 but less					
15	than 24	44,926	51,666	55,708	59,752	44,926
16	24 but less					
17	than 27	45,461	52,201	56,245	60,288	45,461
18	27 or more	45,997	52,737	56,780	60,824	45,997

For additional professional development, local boards of education are hereby authorized, pursuant to rules and regulations established by the State Board of Education, to continue to schedule the two additional days authorized beginning in FY 2000 for professional development/continuing education for all 9, 10 and 11 month certificated employees at their regular daily rate of pay beyond the previous 180 day employment contract. It is the intent of the Legislature that the use of these days be in accordance with a local school self-improvement plan developed at each school through a collaborative effort of the employees involved and the local school administrators. These two days for professional development/continuing education shall be made a part of the regular school year calendar. The purpose of the days provided herein is to improve classroom instruction, discipline, and school safety. The principal of each school shall report to the local superintendent the manner in which these two professional development days were used at the school. The local superintendent of education shall consolidate the reports from each school and send the report to the State Superintendent of Education. The use of the days shall be incorporated into the school system's professional development plan. It shall be the obligation of the in-service centers and colleges and universities to render maximum assistance to local school employees. The requirement of this section shall also apply to 9, 10 and 11 month certificated personnel at the Alabama Institute for Deaf and Blind, the Department of Youth Services, the School of Math and Science and the School of Fine Arts. Local boards of education are hereby authorized to schedule these two days of professional development/continuing education for all current 9, 10 and 11 month contracts of support personnel and all 9, 10 and 11 month contracts of Child Nutrition Program support personnel at their regular daily rate of pay beyond the previous 180 day employment contract. It is the intent of the Legislature that the purpose of these training sessions for all employed support personnel will

Education Trust Fund	Earmarked Funds	Appropriation Total
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be to provide occupation-specific skill training, safety training, training on school discipline, and other relevant aspects of support personnel interaction with students. For the purpose of these training sessions, it shall be the obligation of local boards of education to seek qualified occupation-specific trainers from the Department of Education and/or private vendors solely for training purposes. The requirement of this section shall apply to 9, 10 and 11 month support personnel at the Alabama Institute for Deaf and Blind, the Department of Youth Services, the School of Math and Science and the School of Fine Arts. Local or state board of education rules or regulations shall not be construed to negate the intent of the Legislature. The State Board of Education shall take care to ensure the implementation of the legislative intent as provided by this section. Notwithstanding Section 16-13-231.1(d) of the Code of Alabama 1975, there shall not be an appropriation for the 1% over the total cost of instructional salaries for the Foundation Program as calculated by the State Minimum Salary Schedule for the fiscal year beginning October 1, 2009.

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 System rate shall be 12.51% of salaries. The Public Education Employees' Health Insurance Program (PEEHIP) rate shall be \$752 per month for each full-time employee.

As funds are appropriated 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) textbooks at \$17.17 per pupil in average daily membership during the first 20 scholastic days after Labor Day of the preceding school year. 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.

10. Education, State Board of -

Two-Year College System:

(a) Operations and Maintenance

.....

298,697,326

239,454,514

538,151,840

(b) Auxiliary Enterprises ...

34,590,000

34,590,000

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (c) Restricted Funds		203,300,000	203,300,000
2 (d) Operations and Maintenance			
3 of Postsecondary Prison Edu-			
4 cation (ETF)	9,083,633		9,083,633
5 Of the above appropriation,			
6 \$2,012,704 shall be expended			
7 for Therapeutic Education.			
8 (e) Adult Education Program	13,519,815	12,744,603	26,264,418
9 (f) Special Populations Train-			
10 ing	4,873,141		4,873,141
11 For programs to prepare the			
12 inmate population, parolees or			
13 other special populations des-			
14 ignated by the Chancellor for			
15 entry into the workforce			
16 through adult education,			
17 preemployment skills training,			
18 and short-term intensive ca-			
19 reer technical training.			
20 (g) Mine Safety Training Pro-			
21 gram at Bevill State Commu-			
22 nity College	264,997		264,997
23 (h) Postsecondary Education			
24 Department - Administration	5,601,143	2,904,824	8,505,967
25 (i) Postsecondary/Tech Col-			
26 leges - Truck Driving Train-			
27 ing	276,664	2,500,000	2,776,664
28 Of the above appropriation,			
29 \$276,664 shall be expended for			
30 the Truck Driver Training Pro-			
31 gram at Central Alabama Commu-			
32 nity College. The above appro-			
33 priation from earmarked funds			
34 is estimated and shall be ex-			
35 pended pursuant to Section			
36 32-5-313, Code of Alabama			
37 1975.			
38 (j) Workforce Development ...	6,636,146	20,504,978	27,141,124
39 The Workforce Development			
40 Funds shall be distributed by			
41 the State Board of Education			
42 upon recommendation of the			
43 Chancellor to develop and im-			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	plement programs to provide a		
2	skilled workforce and to pro-		
3	vide college operations and		
4	maintenance allocations for		
5	workforce and economic devel-		
6	opment. Of the above appropri-		
7	ation for Workforce Develop-		
8	ment, \$1,000,000 shall be dis-		
9	tributed for 3-D instructional		
10	centers at Wallace State Com-		
11	munity College - Selma; Cen-		
12	tral Alabama Community Col-		
13	lege; and Wallace State Commu-		
14	nity College - Hanceville.		
15	(k) Marion Military Institute	6,547,999	6,547,999
16	(l) Alabama Technology Network		
17	.....	5,254,188	5,254,188
18	SOURCE OF FUNDS:		
19	(1) ETF	350,755,052	
20	(2) Federal Stimulus Funds,		
21	estimated	17,735,504	
22	(3) Federal and Other Funds	498,263,415	
23	Total Education, State Board		
24	of - Two-Year College System	350,755,052	515,998,919
			866,753,971
25	(1) The allocations as set forth above shall be distributed by the State Board of		
26	Education through the Office of the Chancellor.		
27	(2) The above appropriation from the ETF for Operations and Maintenance shall be		
28	distributed so that each of the colleges, except Marion Military Institute, shall		
29	receive the amounts necessary to fund additional employer contributions to teachers'		
30	retirement. Shelton State Community College shall receive \$1,148,338 to operate the		
31	Poison Control Center; Jefferson State Community College shall receive \$176,667 to		
32	operate the Risk Watch Program; \$652,970 shall be allocated to Jefferson State Com-		
33	munity College to fund the Center for Labor Education and Research (CLEAR) previ-		
34	ously funded at the University of Alabama in Birmingham; \$90,000 shall be allocated		
35	to Jefferson State Community College - Community Outreach Partnership Center for the		
36	Predator Avoidance Education Program; \$200,000 shall be allocated to Shelton State		
37	Community College for a partnership with the University of West Alabama for the		
38	preservation of labor education; and \$300,000 shall be allocated to Gadsden State		
39	Community College for economic development, allied health sciences and nursing pro-		
40	grams. The remaining balance shall be allocated among colleges in an amount equal to		
41	the percent of the continuing and permanent Operations and Maintenance allocation		
42	received from the ETF in Act 2008-552.		

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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(3) The above appropriation for Operations and Maintenance of Postsecondary Prison Education shall be distributed to the same colleges and in the same amounts as FY 2008.

(4) The allocation of Adult Education funds appropriated herein is restricted to the provision of services as defined under the stipulations of the Adult Education and Family Literacy Act, Title II of the federal Workforce Investment Act of 1998.

(5) From the above appropriation for Special Populations Training, the Life Tech program shall receive the same amount of funds as received from the Two Year College System in FY 2008 from all sources, except for any savings recognized from refinancing of bonds.

(6) From the above appropriation for the Alabama Technology Network not less than \$302,101 shall be expended for the continuation of Gadsden State Community College's AFL-CIO partnership program for trainers and trainees.

(7) The Chancellor shall not assess the colleges for any state function provided through the Chancellor's Office nor make any obligation which would encumber any college's funding.

(8) It is the intent of the Legislature that the State Board of Education shall not authorize or approve the sale of any property donated to any college within the two-year college system without approval from the Legislative Council.

**11. Education, State Department
of:**

(a) Administrative Services Program	175,817,067	91,942,119	267,759,186
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The proposed spending plan for the ETF monies included in the above program is as follows:

Operations and Maintenance of the Department	32,365,771
--	------------

Of the above appropriation, at least \$9,324,735 shall be expended in the same manner and for the same programs as the appropriation to the State Department of Education from the Children First Trust Fund was expended in FY 2005.

Operations and Maintenance for the Alabama Reading Initia- tive	64,443,081
Operations and	29,000,000

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Maintenance for		
2	Math/Science/Te		
3	chnology Ini-		
4	tiative		
5	Arts Education	510,000	
6	For art education programs in		
7	areas evaluated and reviewed		
8	by the Black Belt Action Com-		
9	mission.		
10	Teacher/Student		
11	Testing	7,217,864	
12	To be expended for		
13	teacher/student test develop-		
14	ment and expenses directly		
15	related to teacher and student		
16	assessment.		
17	Children's Eye		
18	Screening Pro-		
19	gram and Fol-		
20	low-up Eye Care		
21	.....	2,381,882	
22	Of the above appropriation,		
23	\$1,216,354 shall be used to		
24	provide eye screening for		
25	Grades K, 2 and 4. The method		
26	of screening shall be color		
27	photo refraction as developed		
28	by the National Aeronautics		
29	and Space Administration and		
30	\$1,165,528 shall be used to		
31	provide follow-up care for		
32	those Grades K, 2 and 4 stu-		
33	dents. Follow-up eye care ser-		
34	vices shall include, but not		
35	be limited to, providing as-		
36	sistance in obtaining and co-		
37	ordinating local eye care ser-		
38	vices for those children iden-		
39	tified as needing said fol-		
40	low-up eye care services		
41	whether insured, uninsured or		
42	underinsured. Children identi-		
43	fied as uninsured or		
44	underinsured shall be provided		
45	with free eye exams and free		
46	prescription spectacles. A		

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	database including specific		
2	data by child, grade,		
3	school/system, and services		
4	for outcome-based measurement		
5	shall be maintained and ar-		
6	chived.		
7	Governor's Lo-		
8	cal School and		
9	School System		
10	Academic and		
11	Financial Im-		
12	provement Pro-		
13	gram (At-Risk)	15,016,296	
14	The above appropriation shall		
15	be expended for the operations		
16	and maintenance of at-risk		
17	programs to develop and imple-		
18	ment school improvement pro-		
19	grams' financial and/or aca-		
20	demic accountability per Sec-		
21	tion 16-6B-3, Code of Alabama		
22	1975, and for benefits for		
23	appropriate personnel within		
24	the Department of Education.		
25	At-risk funds shall be used to		
26	employ personnel under		
27	short-term contracts who shall		
28	be assigned by the State Su-		
29	perintendent of Education to		
30	give direct assistance to		
31	schools which come under the		
32	jurisdiction of the Department		
33	in accordance with Sections		
34	16-6B-1 through 16-6B-6, Code		
35	of Alabama 1975, which re-		
36	quires schools and/or school		
37	systems to be placed in inter-		
38	vention for academic and/or		
39	financial reasons by the State		
40	Superintendent. In selecting		
41	these personnel, the State		
42	Superintendent shall give		
43	preference to persons who have		
44	achieved National Board for		
45	Professional Teaching Stan-		
46	dards (NBPTS) certification		
47	and/or who have been chosen as		
48	Alabama Teachers of the Year.		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	In the event this pool of per-		
2	sonnel is inadequate, the		
3	State Superintendent may then		
4	employ other teaching and/or		
5	administrative personnel who		
6	have been recognized for their		
7	competence. Such personnel		
8	shall be assigned to work di-		
9	rectly with schools whose op-		
10	erations are being assisted by		
11	the state. The State Superin-		
12	tendent may further use these		
13	personnel to assist schools		
14	that are on Priority status as		
15	well as use these funds in		
16	partnership with and funding		
17	from the Department of Educa-		
18	tion to improve the learning		
19	opportunities for at-risk stu-		
20	dents. These programs shall		
21	include, but not be limited		
22	to, after school programs,		
23	character education programs,		
24	drop-out prevention programs,		
25	summer programs, career tech-		
26	nical youth programs, programs		
27	to improve reading, and/or		
28	math, and/or science skills to		
29	increase grade-to-grade promo-		
30	tion, high school graduation		
31	and college preparedness, and		
32	other activities designed to		
33	assist at-risk students. Per-		
34	sonnel employed or contracted		
35	by the Department for assis-		
36	tance in at-risk schools shall		
37	be on release status from		
38	their respective local boards		
39	of education and shall retain		
40	all benefits and tenure status		
41	unless they are given perma-		
42	nent employment in the State		
43	Department of Education. Funds		
44	may be allocated to entities		
45	that have and/or can effect		
46	positive results in improved		
47	student achievement.		
48	School Account-	134,340	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	ability Report		
2	Card		
3	For distribution of the School		
4	Accountability Report Card		
5	referred to in Section 16-6B-7		
6	of the Code of Alabama 1975 to		
7	every parent with a child in		
8	Alabama public schools.		
9	English as a		
10	Second Language		
11	Students Pro-		
12	gram	2,274,475	
13	Based on the 2008-09 school		
14	system count supplied to the		
15	Alabama Department of Educa-		
16	tion by each local superinten-		
17	dent of education, herein is		
18	appropriated on a per student		
19	basis to be utilized by local		
20	school boards to provide as-		
21	sistance to students not uti-		
22	lizing English as their native		
23	language so they may become		
24	proficient in reading, writ-		
25	ing, and speaking English at		
26	the earliest possible time.		
27	Tenure Arbitra-		
28	tion Costs ...	565,000	
29	Of the above appropriation for		
30	Tenure Arbitration Costs,		
31	\$140,000 shall be transferred		
32	to fund the Office of the At-		
33	torney General for performance		
34	of arbitration services, in-		
35	cluding administration of the		
36	State's tenure laws (Code of		
37	Alabama 1975, Section		
38	36-26-115) by the Office of		
39	Administrative Hearings, Divi-		
40	sion of Administrative Law		
41	Judges.		
42	Teacher Re-		
43	cruitment In-		
44	centives	10,000	
45	Distance Learn-	20,000,000	

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	ing			
2	Job descriptions shall be de-			
3	veloped by the State Depart-			
4	ment of Education for posi-			
5	tions funded by this appropri-			
6	ation. Hiring of personnel			
7	shall be monitored by the			
8	State Department of Education			
9	for compliance with these job			
10	descriptions. In addition,			
11	these funds shall be used ex-			
12	clusively to meet the distance			
13	learning initiative ACCESS			
14	(Alabama Connecting Class-			
15	rooms, Educators, and Students			
16	Statewide).			
17	Advanced Place-			
18	ment 1,360,000			
19	Dropout Preven-			
20	tion Pilot ... 538,358			
21	(b) Financial Assistance Pro-			
22	gram 34,424,670	1,244,042,908	1,278,467,578	
23	The proposed spending plan for			
24	the ETF monies included in the			
25	above program is as follows:			
26	Home Instruc-			
27	tion for Par-			
28	ents of Pre-			
29	school Young-			
30	sters (HIPPY)			
31	Program 1,519,902			
32	Southwest			
33	School of Deaf			
34	and Blind 291,806			
35	Pre-School Pro-			
36	gram (Special			
37	Education) ... 1,931,927			
38	National Board			
39	for Profes-			
40	sional Teaching			
41	Standards 8,690,000			
42	The above appropriation in-			
43	cludes funds to pay assessment			
44	fees for teachers desiring to			

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	take the examination, funds to		
2	provide a \$5,000 supplement in		
3	addition to base salary as		
4	determined by the Minimum Sal-		
5	ary Schedule for all		
6	board-certified teachers. Ala-		
7	bama teachers shall apply for		
8	funding of the assessment fees		
9	and recipients are required to		
10	commit to teach in Alabama		
11	public schools for an addi-		
12	tional period of five years		
13	unless an exception is granted		
14	for just cause. Of the funds		
15	provided herein, an amount not		
16	to exceed \$45,000 shall be		
17	used to pay for release time		
18	of personnel used by the State		
19	Department of Education to		
20	mentor prospective candidates		
21	for the NBPTS certification		
22	and to assist in determining		
23	which candidates shall receive		
24	state funding to take the ex-		
25	amination. Salary must be pro-		
26	vided before said amount can		
27	be used by the State Depart-		
28	ment of Education for person-		
29	nel release time.		
30	Children's Hos-		
31	pital	123,250	
32	Career Tech		
33	Initiative ...	2,132,362	
34	P.A.C.E.R.S.		
35	Program	132,473	
36	Teacher		
37	In-Service Cen-		
38	ters	3,000,000	
39	The State Board of Education,		
40	through the State Superinten-		
41	dent of Education, shall ad-		
42	minister the in-service cen-		
43	ters and shall monitor the		
44	centers for compliance with		
45	established accountability		
46	standards. The above appropri-		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	ation to the In-Service Cen-		
2	ters shall be distributed to		
3	the existing eleven Teacher		
4	In-Service Centers in each		
5	geographical area of the state		
6	as follows:		
7	University of		
8	Alabama		
9	..... 236,409		
10	University of		
11	Alabama at Bir-		
12	mingham		
13	..... 327,232		
14	Alabama A and M		
15	University		
16	..... 298,240		
17	Alabama State		
18	University		
19	..... 257,018		
20	Athens State		
21	University		
22	..... 249,146		
23	Auburn Univer-		
24	sity		
25	..... 259,329		
26	Jacksonville		
27	State Univer-		
28	sity		
29	..... 253,954		
30	University of		
31	Montevallo		
32	..... 266,892		
33	Troy University		
34	..... 269,761		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 University of			
2 North Alabama			
3 231,072			
4 University of			
5 South Alabama			
6 350,947			
7 Teacher Profes-			
8 sional Develop-			
9 ment Training	1,154,211		
10 This appropriation shall be			
11 used to train teachers (K-12)			
12 in the use of computers in the			
13 classroom. Trainers shall be			
14 chosen who can assist teachers			
15 in learning computer skills,			
16 the use of instructional soft-			
17 ware, and the classroom uses			
18 of the Internet.			
19 PALS Program .	20,000		
20 Council on Eco-			
21 nomic Education			
22	20,000		
23 Play By The			
24 Rules	20,000		
25 Governor's High			
26 Hopes for Ala-			
27 bama Students	11,099,133		
28 Jobs for Ala-			
29 bama's Gradu-			
30 ates (JAG) ...	913,338		
31 Virtual Library			
32 Project	3,368,768		
33 The State Department shall			
34 serve as the fiscal agent for			
35 the Virtual Library Project.			
36 Teacher			
37 Mentoring Pro-			
38 gram	7,500		
39 (c) Alabama Science In Motion			
40 Program	1,885,190		1,885,190

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	All funds appropriated to this		
2	program shall be expended in		
3	accordance with Title 16,		
4	Chapters 61B and 61C, Code of		
5	Alabama 1975. Additionally,		
6	any funds unexpended and car-		
7	ried over from the prior fis-		
8	cal year are hereby		
9	reappropriated.		
10	(d) Disability Determination		
11	for Social Security Program	85,736,930	85,736,930
12	SOURCE OF FUNDS:		
13	(1) ETF	210,241,737	
14	(2) ETF-Transfer	1,885,190	
15	(3) Driver Education and		
16	Training Fund	4,530,898	
17	(4) Federal Stimulus Funds,		
18	estimated	203,642,885	
19	(5) Federal and Local Funds .	1,211,048,174	
20	(6) Special Education Cata-		
21	strophic Fund	2,500,000	
22	Total Education, State Depart-		
23	ment of	212,126,927	1,421,721,957
			1,633,848,884
24	12. Educational Television Com-		
25	mission:		
26	(a) Capital Outlay Program ..	600,000	600,000
27	This appropriation is the		
28	first of two appropriations of		
29	\$600,000 each to replace the		
30	Alabama Public Television's		
31	Digital Statewide Microwave		
32	System and create a Public		
33	Safety Radio Communications		
34	Statewide Network.		
35	(b) Educational Television		
36	Program	7,458,331	424,595
			7,882,926
37	SOURCE OF FUNDS:		
38	(1) ETF	8,058,331	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (2) Federal and Local Funds .		424,595	
2 Total Educational Television			
3 Commission	8,058,331	424,595	8,482,926
4 13. Executive Commission on Com-			
5 munity Services Grants, State:			
6 (a) Community Services Grants			
7 Program	9,113,389		9,113,389
8 Distributed pursuant to Sec-			
9 tion 29-2-123 of the Code of			
10 Alabama 1975, as amended.			
11 SOURCE OF FUNDS:			
12 (1) ETF	9,113,389		
13 The above appropriation shall			
14 be used for grants that pro-			
15 mote public education pur-			
16 poses.			
17 Total Executive Commission on			
18 Community Services Grants,			
19 State	9,113,389		9,113,389
20 14. Family Practice Rural Health			
21 Board:			
22 (a) Family Practice Rural			
23 Health Program	1,725,165		1,725,165
24			
25 SOURCE OF FUNDS:			
26 (1) ETF	1,725,165		
27 Total Family Practice Rural			
28 Health Board	1,725,165		1,725,165
29 Of the above appropriation, at			
30 least \$91,000 shall be ex-			
31 pended for the Auburn Rural			
32 Health Program; a minimum of			
33 \$91,000 shall be expended for			
34 the Tuskegee Area Health Edu-			
35 cation Center (TAHEC);			
36 \$491,400 shall be expended for			
37 the Rural Medical Scholars			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Program at the University of			
2	Alabama at Tuscaloosa; and			
3	\$91,000 shall be expended for			
4	the Rural Health Program at			
5	the University of Alabama in			
6	Huntsville.			
7	15. Finance, Department of:			
8	(a) Employee Benefits Program	794,988		794,988
9	SOURCE OF FUNDS:			
10	(1) ETF, Estimated	794,988		
11	Total Finance, Department of	794,988		794,988
12	To be distributed by the State			
13	Comptroller to the designated			
14	beneficiaries or estates for			
15	unused sick leave pursuant to			
16	Code of Alabama 1975, Section			
17	16-1-18.2.			
18	16. Finance, Department of -			
19	Telephone Revolving Fund:			
20	(a) Information Systems Pro-			
21	gram	1,236,651		1,236,651
22	SOURCE OF FUNDS:			
23	(1) ETF-Transfer	1,236,651		
24	Total Finance, Department of -			
25	Telephone Revolving Fund	1,236,651		1,236,651
26	The Telephone Revolving Fund			
27	shall assess to using agencies			
28	and institutions any addi-			
29	tional amount necessary to			
30	provide continuing			
31	non-interrupted service of a			
32	minimum maintenance level.			
33	17. Fine Arts, Alabama School of:			
34	(a) Financial Assistance Pro-			
35	gram	6,934,502	610,000	7,544,502
36	SOURCE OF FUNDS:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	6,934,502		
2	(2) Federal and Local Funds .		610,000	
3	Total Fine Arts, Alabama			
4	School of	6,934,502	610,000	7,544,502
5	18. Fire Fighters' Personnel			
6	Standards and Education Com-			
7	mission, Alabama/Fire College			
8	Shelton State Community Col-			
9	lege:			
10	(a) Operations and Maintenance			
11	.....	3,981,666	2,747,500	6,729,166
12	SOURCE OF FUNDS:			
13	(1) ETF	3,981,666		
14	(2) Federal and Local Funds .		2,747,500	
15	Total Fire Fighters' Personnel			
16	Standards and Education Com-			
17	mission, Alabama/Fire College			
18	Shelton State Community Col-			
19	lege	3,981,666	2,747,500	6,729,166
20				
21	19. Governor's Office of Faith			
22	Based and Community Initia-			
23	tives:			
24	(a) Executive Direction Pro-			
25	gram	142,917		142,917
26	SOURCE OF FUNDS:			
27	(1) ETF	142,917		
28	Total Governor's Office of			
29	Faith Based and Community Ini-			
30	tatives	142,917		142,917
31	20. Higher Education, Alabama			
32	Commission on:			
33	(a) Planning and Coordination			
34	Services Program	2,934,901		2,934,901
35	The proposed spending plan for			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 the ETF monies included in the			
2 above program is as follows:			
3 Operations and			
4 Maintenance .. 2,934,901			
5 (b) Student Financial Aid Pro-			
6 gram	6,555,416	2,997,643	9,553,059
7 (1) Policeman's			
8 Survivor Tui-			
9 tion, Estimated			
10	172,238		
11 To be expended under the pro-			
12 visions of Code of Alabama			
13 1975, Section 36-21-105.			
14 (2) Alabama Na-			
15 tional Guard			
16 Educational As-			
17 sistance Schol-			
18 arships	650,480		
19 To be expended in accordance			
20 with Code of Alabama 1975,			
21 Sections 31-10-1 through			
22 31-10-4 and Sections 31-10-20			
23 through 31-10-25.			
24 (3) Alabama			
25 Student Assis-			
26 tance Program 3,131,735			
27 In addition to the ETF appro-			
28 priation for the Alabama Stu-			
29 dent Assistance Program, any			
30 available funds as a result of			
31 the court ordered transfers			
32 from Knight vs. Alabama diver-			
33 sity scholarships are hereby			
34 appropriated and any carryover			
35 funds from these transfers are			
36 hereby reappropriated.			
37 (4) Educational			
38 Grants Program			
39 (Alabama Stu-			
40 dent Grant Pro-			
41 gram)	2,509,163		
42 To be expended in accordance			
43 with Code of Alabama 1975,			
44 Sections 16-33A-1 through			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	16-33A-11. Private institu-			
2	tions receiving state grant			
3	funds under this provision			
4	make their best effort to use			
5	the equivalent of ten percent			
6	of Federal Work Study alloca-			
7	tions for the purpose of tu-			
8	toring and mentoring students			
9	in grades K-12 to better pre-			
10	pare them for graduation, col-			
11	lege entry and retention. In-			
12	stitutions shall work with			
13	their respective governing			
14	boards to develop and imple-			
15	ment this effort.			
16	(5)			
17	Chiropractic			
18	Scholarships .	31,800		
19	To be expended in accordance			
20	with Code of Alabama 1975,			
21	Section 16-5-11.			
22	(6) Washington			
23	Center Intern-			
24	ship Program .	60,000		
25	(c) Support of Other Educa-			
26	tional Activities Program .	2,890,222	1,635,112	4,525,334
27	The proposed spending plan for			
28	the ETF monies included in the			
29	above program is as follows:			
30	(1) Network of			
31	Alabama Aca-			
32	demic Libraries			
33	.....	349,735		
34	ACHE shall provide for the			
35	participation of Athens State			
36	University in the Network of			
37	Alabama Academic Libraries.			
38	(2) Southern			
39	Regional Educa-			
40	tion Board			
41	(SREB)	725,539		
42	(3) EPSCoR (Re-			
43	search) Program			
44	.....	1,327,074		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (4) Computer			
2 Based Articula-			
3 tion System .. 399,542			
4 To fund Troy University for			
5 developing and operating a			
6 statewide computer-based ar-			
7 tication system to serve all			
8 four-year and two-year			
9 postsecondary institutions in			
10 the State of Alabama.			
11 (5) School and			
12 University			
13 Partnership for			
14 <u>Education Re-</u>			
15 newal Program			
16 (SUPER) 88,332			
17 (d) Support of State Universi-			
18 ties Program	6,015,470	75,000	6,090,470
19 The proposed spending plan for			
20 the ETF monies included in the			
21 above program is as follows:			
22 (1) Alabama Ag-			
23 ricultural Land			
24 Grant Alliance 6,015,470			
25 Of the above appropriation to			
26 AALGA, at least \$3,932,441			
27 shall be equally distributed			
28 as a state match for federal			
29 funds for those institutions			
30 in the Alliance required to			
31 provide matching funds in or-			
32 der to obtain federal funds			
33 for the first time in fiscal			
34 year 2000. Of the above appro-			
35 priation, \$364,000 shall be			
36 allocated for the fruit and			
37 vegetable marketing initia-			
38 tive; \$200,000 shall be allo-			
39 cated for the Youth Partner-			
40 ship Program; and \$493,200			
41 shall be allocated for the			
42 McIntire-Stennis Forestry Re-			
43 search Initiative Matching			
44 Program.			

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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SOURCE OF FUNDS:

(1) ETF	18,396,009		
(2) Federal and Local Funds .		4,707,755	
Total Higher Education, Ala- bama Commission on	18,396,009	4,707,755	23,103,764

In addition to the above ap-
propriations, any scholarship
funds transferred from the
State Department of Education
for the Alabama Teacher Re-
cruitment Incentive Program
(ATRIP) shall not revert and
are hereby appropriated or
reappropriated.

21. Human Resources, Department
of:

(a) Human Services Program - Jobs Opportunities and Basic Skills Training (JOBS) Pro- gram	4,921,537		4,921,537
(b) Human Services Program - Jobs Child Care and After School Child Care Program .	9,081,669		9,081,669

Of the above appropriation,
\$154,581 shall be expended for
the Black Belt Eye Care Con-
sortium.

SOURCE OF FUNDS:

(1) ETF-Transfer	14,003,206		
Total Human Resources, Depart- ment of	14,003,206		14,003,206

Of the above appropriation,
\$983,322 is to be distributed
to the Greater Alabama Child
Development Program for rural
day care.

22. Industrial Development Train-
ing Institute, Alabama:

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (a) Industrial Development and			
2 Training Program	5,731,046		5,731,046
3 (b) Industrial Training Pro-			
4 gram - Operations and Main-			
5 tenance	5,688,729		5,688,729
6 (c) Workforce Development ...	25,678,166		25,678,166
7 SOURCE OF FUNDS:			
8 (1) ETF	37,097,941		
9 Total Industrial Development			
10 Training Institute, Alabama .	37,097,941		37,097,941
11 The \$25,678,166 of funds ap-			
12 propriated for Workforce De-			
13 velopment are to be expended			
14 for those costs incurred by			
15 the State in honoring commit-			
16 ments to pay Workforce Devel-			
17 opment costs, including ser-			
18 vices and other assistance and			
19 expenses of recruitment and			
20 training of a company's			
21 workforce, that are undertaken			
22 to induce companies to locate			
23 or expand their operations in			
24 Alabama (described hereinafter			
25 as a "Project") and to develop			
26 and implement training, place-			
27 ment and recruitment programs			
28 that will improve, develop and			
29 expand the State's workforce.			
30 Such costs include, but are			
31 not limited to (i) AIDT oper-			
32 ating costs directly related			
33 to a Project; (ii) wages and			
34 benefits for trainers engaged			
35 by AIDT for the purpose of a			
36 Project; (iii) costs which the			
37 State has agreed to pay under			
38 the terms of a Project Agree-			
39 ment with a company that are			
40 necessary and reasonable			
41 charges incurred by the com-			
42 pany or its affiliates for			
43 personnel providing training			
44 to the company's employees,			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	whether those trainers are		
2	employees of the company or		
3	its vendors or suppliers, in-		
4	cluding wages, benefits and		
5	travel (domestic and, when		
6	necessary, international);		
7	(iv) any necessary materials,		
8	equipment, manuals, or other		
9	relevant training materials;		
10	(v) the costs incurred for		
11	purchasing or repairing or		
12	replacing training tools and		
13	equipment; (vi) costs incurred		
14	for the purchase or construc-		
15	tion and maintenance of train-		
16	ing facilities; (vii) travel		
17	expenses for prospective and		
18	current employees and train-		
19	ees, including travel, food,		
20	lodging, relocation, and other		
21	costs necessary and reasonable		
22	to enable the company to se-		
23	cure a qualified workforce;		
24	(viii) outside training fees;		
25	and (ix) the construction and		
26	equipping of career centers to		
27	assist citizens of the State		
28	in outreach, job search, as-		
29	sessments of individuals,		
30	placement assistance, labor		
31	market information, individual		
32	employment plans and counsel-		
33	ing, career planning, occupa-		
34	tional and vocational train-		
35	ing, and specific skills		
36	training. The above funds ap-		
37	propriated for workforce de-		
38	velopment shall be expended		
39	primarily for the training of		
40	Alabama residents. It is fur-		
41	ther the intent that contracts		
42	with vendors to provide		
43	workforce training shall be		
44	inclusive and reflect the ra-		
45	cial and gender diversity of		
46	the state. It is the intent of		
47	the Legislature that the above		
48	funds appropriated for		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 workforce development shall be			
2 expended primarily for the			
3 training of Alabama residents.			
4 It is further the intent that			
5 contracts with vendors to pro-			
6 vide workforce training shall			
7 be inclusive and reflect the			
8 racial and gender diversity of			
9 the state. The Office of			
10 Workforce Development shall			
11 report quarterly to the Chairs			
12 of the Senate Committee on			
13 Finance and Taxation - Educa-			
14 tion and the House Committee			
15 on Education Appropriation and			
16 the Legislative Fiscal Officer			
17 on any funds allocated for			
18 workforce training. Such re-			
19 port shall include a summary			
20 of the persons trained and the			
21 vendors providing the train-			
22 ing. The reports shall contain			
23 information including resi-			
24 dence, race and gender of the			
25 persons trained and of the			
26 principal or majority owner of			
27 the firm or business con-			
28 tracted with to provide the			
29 training services.			
30 23. Library Service, Alabama Pub-			
31 lic:			
32 (a) Public Library Service			
33 Program	7,624,264	2,332,750	9,957,014
34 Of the above appropriation, a			
35 minimum of \$4,496,645 is to be			
36 distributed to the public li-			
37 braries within the state and			
38 \$284,997 shall be expended for			
39 Homework Alabama.			
40 (b) Special Grant Program ...	514,146		514,146
41 SOURCE OF FUNDS:			
42 (1) ETF	8,138,410		
43 (2) Federal and Local Funds .		2,332,750	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Total Library Service, Alabama			
2 Public	8,138,410	2,332,750	10,471,160
3 24. Marine Environmental Sciences			
4 Consortium/Dauphin Island Sea			
5 Lab:			
6 (a) Support of Other Educa-			
7 tional Activities Program .	3,866,774	8,780,982	12,647,756
8 Of the above appropriation,			
9 \$88,334 shall be expended for			
10 the Mobile Bay National Estu-			
11 ary Program and \$88,334 shall			
12 be expended for the Missis-			
13 sippi-Alabama Sea Grant Con-			
14 sortium.			
15 SOURCE OF FUNDS:			
16 (1) ETF	3,866,774		
17 (2) Federal and Local Funds .		8,780,982	
18 Total Marine Environmental			
19 Sciences Consortium/Dauphin			
20 Island Sea Lab	3,866,774	8,780,982	12,647,756
21 25. Mathematics and Science, Ala-			
22 bama School of:			
23 (a) Financial Assistance Pro-			
24 gram	6,348,405	1,204,000	7,552,405
25 SOURCE OF FUNDS:			
26 (1) ETF	6,348,405		
27 (2) Federal and Local Funds .		1,204,000	
28 Total Mathematics and Science,			
29 Alabama School of	6,348,405	1,204,000	7,552,405
30 26. Medical Scholarship Awards,			
31 Board of:			
32 (a) Support of Other Educa-			
33 tional Activities Program .	1,149,109	400,000	1,549,109
34 To be expended under the pro-			
35 visions of the Code of Alabama			
36 1975, Sections 16-47-121			
37 through 16-47-129.			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:		
2	(1) ETF	1,149,109	
3	(2) Federal and Local Funds .	400,000	
4	Total Medical Scholarship		
5	Awards, Board of	1,149,109	400,000
6	27. Mental Health and Mental Re-		1,549,109
7	tardation, Department of:		
8	(a) Institutional Treatment		
9	and Care of Mental Illness		
10	Program	4,366,169	4,366,169
11	(b) Institutional Treatment		
12	and Care of Mental Retarda-		
13	tion Program	23,990,322	23,990,322
14	Of the above appropriation to		
15	the Department of Mental		
16	Health and Mental Retardation		
17	for the Mental Retardation		
18	Program, the sum of \$4,633,502		
19	shall be used to fund the		
20	ARC-type community-based pro-		
21	grams, including the Montgom-		
22	ery Institute for Neurological		
23	Development, for the mentally		
24	retarded and developmentally		
25	disabled in Alabama and the		
26	sum of \$473,335 shall be allo-		
27	cated to Camp ASCCA.		
28	(c) Substance Abuse Program .	1,076,369	1,076,369
29	SOURCE OF FUNDS:		
30	(1) ETF-Transfer	29,432,860	
31	Total Mental Health and Mental		
32	Retardation, Department of ..	29,432,860	29,432,860
33			
34	28. Nursing, Alabama Board of:		
35	(a) Professional and Occupa-		
36	tional Licensing and Regula-		
37	tion Program	257,000	257,000

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 The above appropriation shall			
2 be expended pursuant to the			
3 provisions of the Code of Ala-			
4 bama 1975, Sections 34-21-60			
5 through 34-21-63. Notwith-			
6 standing the limiting provi-			
7 sions of the Code of Alabama			
8 1975, Sections 34-21-60			
9 through 34-21-63, \$200,000 of			
10 the above appropriation shall			
11 be expended exclusively for			
12 scholarships for advanced de-			
13 grees to train instructors to			
14 teach nursing classes in Ala-			
15 bama colleges and universi-			
16 ties.			
17 SOURCE OF FUNDS:			
18 (1) ETF	257,000		
19 Total Nursing, Alabama Board			
20 of	257,000		257,000
21 29. Optometric Scholarship			
22 Awards, Board of:			
23 (a) Support of Other Educa-			
24 tional Activities Program .	166,065		166,065
25 To be expended under the pro-			
26 visions of the Code of Alabama			
27 1975, Sections 34-22-60			
28 through 34-22-65.			
29 SOURCE OF FUNDS:			
30 (1) ETF	166,065		
31 Total Optometric Scholarship			
32 Awards, Board of	166,065		166,065
33 30. Peace Officers' Standards and			
34 Training Commission, Alabama:			
35 (a) Professional and Occupa-			
36 tional Licensing and Regula-			
37 tion Program	301,639	4,500,000	4,801,639
38 (b) Certified Law Enforcement			
39 Academy Program	413,852	450,000	863,852

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Of the above appropriation for		
2	the Certified Law Enforcement		
3	Academy Program, \$413,852 of		
4	ETF monies included therein		
5	shall be expended as follows:		
6	Northeast Po-		
7	lice Academy .	107,601	
8	Alabama Peace		
9	Officers' Stan-		
10	dards and		
11	Training Com-		
12	mission Law En-		
13	forcement Acad-		
14	emy at		
15	Tuscaloosa ...	107,601	
16	Southwest Po-		
17	lice Academy .	107,601	
18	Alabama Police		
19	Academy	57,940	
20	Montgomery Po-		
21	lice Academy .	33,109	
22	SOURCE OF FUNDS:		
23	(1) ETF	715,491	
24	(2) Alabama Peace Officers'		
25	Standards and Training		
26	Fund-as provided in the Code		
27	of Alabama 1975, Sections		
28	36-21-40 through 36-21-51 .		4,950,000
29	Total Peace Officers' Stan-		
30	dards and Training Commission,		
31	Alabama	715,491	4,950,000 5,665,491
32	31. Penny Trust Fund - Buskey		
33	Matching Funds:		
34	(a) Special Services Program,		
35	Estimated	380,829	380,829
36	SOURCE OF FUNDS:		
37	(1) ETF-Transfer	380,829	
38	Total Penny Trust Fund -		
39	Buskey Matching Funds	380,829	380,829

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	In accordance with Sections		
2	41-15A-10 through 41-15A-12,		
3	Code of Alabama 1975.		
4	32. Physical Fitness, State Com-		
5	mission on:		
6	(a) Advisory Services Program	915,138	18,846
			933,984
7	SOURCE OF FUNDS:		
8	(1) ETF	915,138	
9	(2) Federal and Local Funds		18,846
10	Total Physical Fitness, State		
11	Commission on	915,138	18,846
			933,984
12	33. Public Health, Department of:		
13	(a) Public Health Services		
14	Program	13,069,697	13,069,697
15	Of the above appropriation,		
16	\$12,698,697 shall be expended		
17	for the continuation of the		
18	programs in Public School San-		
19	itation, licensure and certifi-		
20	cation, immunization activi-		
21	ties at the county level, pa-		
22	tient education and child		
23	health, immunization of		
24	pre-school children and stu-		
25	dents, dental health, tubercu-		
26	losis and nursing services,		
27	life skills educational train-		
28	ing in schools, vaccines to		
29	non-VFC-eligible children, and		
30	other public health purposes.		
31	Of the above appropriation,		
32	\$238,500 shall be expended for		
33	AIDS Alabama and \$132,500		
34	shall be expended for the Ala-		
35	bama Kidney Foundation.		
36	(b) Administration Services		
37	Program	1,057,449	1,057,449
38	(c) Continuing Education for		
39	EMT Personnel	1,638,000	1,638,000

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	With the above appropriation,		
2	the Department shall offer		
3	performance-based awards to		
4	regional EMS agencies for the		
5	purpose of providing continu-		
6	ing education to EMTs and		
7	strengthening the EMS infra-		
8	structure.		
9	SOURCE OF FUNDS:		
10	(1) ETF	15,765,146	
11	Total Public Health, Depart-		
12	ment of	15,765,146	15,765,146
13			
14	34. Rehabilitation Services, De-		
15	partment of:		
16	(a) Direct Client Services for		
17	the Handicapped Program ...	37,017,375	125,488,019
18	The proposed spending plan for		162,505,394
19	the ETF monies included in the		
20	above program is as follows:		
21	Homebound	5,308,436	
22	Hemophilia ...	1,378,829	
23	Children's Re-		
24	habilitation		
25	Services	11,660,252	
26	Of the above appropriation the		
27	agency will pay to each hospi-		
28	tal the standard per diem paid		
29	by the state Medicaid Agency		
30	for services relating to		
31	scoliosis and spina bifida		
32	medical care.		
33	Education of		
34	Dependents of		
35	Blind Parents	11,497	
36	The above appropriation shall		
37	be allocated for reimbursement		
38	to every state institution of		
39	higher learning, college, uni-		
40	versity, community college, or		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	junior college, in which bene-			
2	fits are given to dependents			
3	of blind parents under the			
4	provisions of Code of Alabama			
5	1975, Sections 16-33-1 through			
6	16-33-12.			
7	Rehabilitation			
8	Services	11,215,194		
9	Of the above appropriation,			
10	\$100,000 shall be expended for			
11	Teaching Children With Dis-			
12	abilities			
13	Early Interven-			
14	tion Program .	6,087,447		
15	Respite Related			
16	Services and			
17	Training	44,166		
18	Rehabilitation			
19	Projects	1,311,554		
20	SOURCE OF FUNDS:			
21	(1) ETF	37,017,375		
22	(2) Federal Stimulus Funds,			
23	estimated		10,106,848	
24	(3) Federal and Local Funds .		113,662,333	
25	(4) Impaired Drivers Trust			
26	Fund		1,718,838	
27	Total Rehabilitation Services,			
28	Department of	37,017,375	125,488,019	162,505,394
29	The above appropriation to the			
30	Department of Rehabilitation			
31	Services - Rehabilitation Pro-			
32	jects may be used to contract			
33	with providers of cerebral			
34	palsy services.			
35	35. Sickle Cell Oversight and			
36	Regulatory Commission, Ala-			
37	bama:			
38	(a) Support of Other Educa-			
39	tional Activities Program .	1,454,190		1,454,190

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Of the above appropriation to		
2	the Alabama Sickle Cell and		
3	Regulatory Commission, the sum		
4	of \$30,916 shall be used to		
5	fund travel and other expenses		
6	of the Alabama Sickle Cell		
7	Oversight and Regulatory Com-		
8	mission and \$1,423,274 shall		
9	be used to fund university and		
10	community-based Sickle Cell		
11	programs which were funded		
12	from the ETF budget in FY		
13	2000. These funds shall be		
14	distributed proportionately to		
15	the distribution made in FY		
16	2003.		
17	SOURCE OF FUNDS:		
18	(1) ETF	1,454,190	
19	Total Sickle Cell Oversight		
20	and Regulatory Commission,		
21	Alabama	1,454,190	1,454,190
22	36. Space Science Exhibit Commis-		
23	sion, Alabama:		
24	(a) Special Services Program	574,159	27,707,000
25	SOURCE OF FUNDS:		
26	(1) ETF	574,159	
27	(2) Federal and Local Funds		27,707,000
28	Total Space Science Exhibit		
29	Commission, Alabama	574,159	27,707,000
30	37. Supercomputer Authority, Ala-		
31	bama:		
32	(a) Information Technology		
33	Services Program	5,669,564	3,147,453
34	The above appropriation is to		
35	be expended in accordance with		
36	Sections 41-10-390 through		
37	41-10-406, Code of Alabama		
38	1975.		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:			
2	(1) ETF-Transfer	5,669,564		
3	(2) Supercomputer Revolving			
4	Fund, Estimated		3,147,453	
5	Total Supercomputer Authority,			
6	Alabama	5,669,564	3,147,453	8,817,017
7				
8	38. Veterans' Affairs, Department			
9	of:			
10	(a) Administration of Veter-			
11	ans' Affairs Program	2,962,372		2,962,372
12	(b) Student Financial Aid Pro-			
13	gram, Estimated	18,600,366		18,600,366
14	For reimbursement to every			
15	state institution of higher			
16	learning, college, university,			
17	community college, junior col-			
18	lege or technical college in			
19	which benefits are given to			
20	veterans, their spouses, wid-			
21	ows, or children under the			
22	provisions of Code of Alabama			
23	1975, Sections 31-6-1 through			
24	31-6-17.			
25	SOURCE OF FUNDS:			
26	(1) ETF	21,562,738		
27	Total Veterans' Affairs, De-			
28	partment of	21,562,738		21,562,738
29	39. Youth Services, Department			
30	of:			
31	(a) Financial Assistance Pro-			
32	gram (School District)	7,661,876	1,094,004	8,755,880
33	The above appropriation shall			
34	be expended by the Youth Ser-			
35	vices Department District in a			
36	manner consistent with the			
37	funding formula cooperatively			
38	established by the Youth Ser-			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	vices Board and the State			
2	Board of Education pursuant to			
3	the provisions of the Code of			
4	Alabama 1975, Sections 44-1-70			
5	through 44-1-77.			
6	(b) Youth Services Program ..	49,915,142	15,718,148	65,633,290
7	(c) Capital Outlay Program ..		2,850,000	2,850,000
8	(d) Community Educational			
9	(C.I.T.Y.) Programs	5,219,437		5,219,437
10	SOURCE OF FUNDS:			
11	(1) ETF	62,796,455		
12	(2) Federal Stimulus Funds,			
13	estimated		930,476	
14	(3) Federal and Local Funds .		18,731,676	
15	Total Youth Services, Depart-			
16	ment of	62,796,455	19,662,152	82,458,607
17	3C. Colleges and Universities:			
18	1. Alabama Agricultural and			
19	Mechanical University, Board			
20	of Trustees:			
21	(a) Operations and Maintenance			
22	and Program Support	34,098,962	48,771,648	82,870,610
23	Of the above appropriation,			
24	\$44,167 shall be expended for			
25	the Black Archives Museum.			
26	(b) Extension-Urban Affairs			
27	and Non-Traditional Land			
28	Grant Programs	3,932,021		3,932,021
29	Pursuant to Knight v. Alabama			
30	Final Settlement Agreement.			
31	(c) Agricultural Research Sta-			
32	tion Fixed Costs	291,210		291,210
33	Pursuant to Knight v. Alabama			
34	Final Settlement Agreement.			
35	(d) Auxiliary Enterprises ...		11,532,127	11,532,127
36	(e) Restricted Funds		32,826,419	32,826,419
37	(f) Agricultural Research and			
38	Extension-State Match	1,326,383		1,326,383

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:			
2	(1) ETF	39,648,576		
3	(2) Federal Stimulus Funds,			
4	estimated		3,360,117	
5	(3) Federal and Other Funds .		89,770,077	
6	Total Alabama Agricultural and			
7	Mechanical University, Board			
8	of Trustees	39,648,576	93,130,194	132,778,770
9	Of the above appropriation			
10	from Federal Stimulus Funds,			
11	estimated, \$333,226 shall be			
12	earmarked for the Exten-			
13	sion-Urban Affairs and			
14	Non-Traditional Land Grant			
15	Programs.			
16	2. Alabama A and M University,			
17	Board of Trustees-Miles Col-			
18	lege Consortium:			
19	(a) Alabama A and M Univer-			
20	sity-Miles College Consor-			
21	tium	400,367		400,367
22	SOURCE OF FUNDS:			
23	(1) ETF	400,367		
24	Total Alabama A and M Univer-			
25	sity, Board of Trustees-Miles			
26	College Consortium	400,367		400,367
27	3. Alabama State University,			
28	Board of Trustees:			
29	(a) Operations and Maintenance			
30	and Program Support	43,290,297	53,745,127	97,035,424
31	The above appropriation for			
32	Operations and Maintenance			
33	includes funds for Health In-			
34	formation Management, Occupa-			
35	tional Therapy, Physical Ther-			
36	apy Programs, Title VI Program			
37	Enhancement, and Desegregation			
38	Planning pursuant to the			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Knight vs Alabama Final Set-			
2 tlement Agreement. Of the			
3 above appropriation,			
4 \$1,250,000 shall be expended			
5 for Cooperative Efforts to			
6 Enhance Community Educational			
7 Institutions; \$541,669 shall			
8 be expended for the Minority			
9 Technology Network and Center			
10 for Public Policy; and			
11 \$476,667 shall be expended for			
12 building renovations.			
13 (b) Auxiliary Enterprises ...		10,049,574	10,049,574
14 (c) Restricted Funds		37,708,036	37,708,036
15 SOURCE OF FUNDS:			
16 (1) ETF	43,290,297		
17 (2) Federal Stimulus Funds,			
18 estimated		3,259,875	
19 (3) Federal and Other Funds .		98,242,862	
20 Total Alabama State Univer-			
21 sity, Board of Trustees	43,290,297	101,502,737	144,793,034
22 4. Alabama, University of,			
23 Board of Trustees:			
24 (a) Operations and Maintenance			
25 and Program Support for the			
26 University of Alabama at			
27 Tuscaloosa	153,083,807	275,650,200	428,734,007
28 The President of the Univer-			
29 sity of Alabama shall imple-			
30 ment a Workforce Development			
31 plan utilizing the existing			
32 Minority Technology Network.			
33 Of the above appropriation to			
34 the University of Alabama at			
35 Tuscaloosa, \$176,667 shall be			
36 expended for the Special Out-			
37 reach Program; and \$220,834			
38 shall be expended for the Ala-			
39 bama Center for Civic Life			
40 (the David Matthews Center).			
41 (b) Operations and Maintenance			
42 and Program Support for the	274,654,620	1,441,312,784	1,715,967,404

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 University of Alabama at			
2 Birmingham			
3 Of the above appropriation,			
4 \$441,668 shall be expended for			
5 the Minority Business Train-			
6 ing-Economic Development Pro-			
7 gram; \$132,501 shall be ex-			
8 pended for the Gregory Fleming			
9 James Cystic Fibrosis Program;			
10 \$154,584 shall be expended for			
11 the High School Athletic			
12 Training Program; and \$250,000			
13 shall be transferred to Chil-			
14 dren's Hospital for the Diabe-			
15 tes Research Program.			
16 (c) Operations and Maintenance			
17 and Program Support for the			
18 University of Alabama in			
19 Huntsville	47,594,061	61,163,326	108,757,387
20 Of the above appropriation			
21 \$2,000,000 shall be expended			
22 for curriculum development,			
23 research support, and special-			
24 ized equipment for Robotics			
25 and Controls Research and Edu-			
26 cation; and \$100,000 shall be			
27 expended for the Climatology			
28 Program.			
29 (d) Special Mental Health and			
30 Chauncey Sparks Center for			
31 Developmental and Learning			
32 Disorders, University of			
33 Alabama at Birmingham	3,797,132		3,797,132
34			
35 (e) School of Optometry			
36 Fund-Transfer to University			
37 of Alabama at Birmingham			
38 School of Optometry, esti-			
39 mated		70,000	70,000
40 (f) Auxiliary Enterprises ...		127,576,454	127,576,454
41 (g) Restricted Funds		542,052,843	542,052,843
42 (h) University of Alabama at			
43 Birmingham Cancer Center ..	4,516,609		4,516,609

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:			
2	(1) ETF	483,646,229		
3	(2) Federal Stimulus Funds,			
4	estimated		43,794,937	
5	(3) Federal and Other Funds .		2,404,030,670	
6	Total Alabama, University of,			
7	Board of Trustees	483,646,229	2,447,825,607	2,931,471,836
8	5. Auburn University, Board of			
9	Trustees:			
10	(a) Operations and Maintenance			
11	and Program Support, Auburn			
12	University	168,730,834	328,317,143	497,047,977
13	Of the above appropriation,			
14	\$119,248 shall be expended to			
15	provide economic research ser-			
16	vices to the State of Alabama,			
17	Department of Finance; \$66,250			
18	shall be expended for the			
19	Jules Collins Smith Art Mu-			
20	seum; \$44,166 shall be ex-			
21	pended for the Ralph Brown			
22	Draughon Library; and \$100,000			
23	shall be expended for Special			
24	Outreach.			
25	(b) Auxiliary Enterprises ...		100,144,790	100,144,790
26	(c) Restricted Funds		157,570,228	157,570,228
27	(d) Operations and Maintenance			
28	and Program Support, Alabama			
29	Agricultural Experiment Sta-			
30	tion	32,398,080	8,717,905	41,115,985
31	Of the above appropriation,			
32	\$158,998 shall be expended for			
33	fire ant eradication/research			
34	at the Department of Entomol-			
35	ogy. Of the above appropria-			
36	tion, \$44,166 shall be ex-			
37	pended for poultry research.			
38	(e) Operations and Maintenance			
39	and Program Support, Alabama			
40	Cooperative Extension System			
41	.....	34,373,691	3,625,026	37,998,717

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(f) Operations and Maintenance			
2	and Program Support, Auburn			
3	University at Montgomery .	25,240,856	28,562,211	53,803,067
4	Of the above appropriation to			
5	Auburn University at Montgom-			
6	ery, \$298,025 shall be ex-			
7	pended for the Statewide Eco-			
8	nommic Resources Initiative			
9	Education Support			
10	(S.E.R.I.E.S.) Program to pro-			
11	vide a statewide economic im-			
12	pact education support system			
13	dedicated to providing techno-			
14	logical capabilities to gov-			
15	ernment agencies; \$119,248			
16	shall be expended for the fur-			
17	ther implementation of SMART			
18	Governing; \$119,248 shall be			
19	expended for the GAAT/CPM Pro-			
20	gram; \$176,668 shall be ex-			
21	pended for the Judicial Col-			
22	lege; and \$600,000 shall be			
23	expended for the Senior Re-			
24	source Center.			
25	SOURCE OF FUNDS:			
26	(1) ETF	260,743,461		
27	(2) Federal Stimulus Funds,			
28	estimated		25,883,408	
29	(3) Federal and Other Funds .		601,053,895	
30	Total Auburn University, Board			
31	of Trustees	260,743,461	626,937,303	887,680,764
32	6. Education, State Board of -			
33	Athens State University:			
34	(a) Operations and Maintenance			
35	and Program Support	12,045,576	12,889,048	24,934,624
36				
37	(b) Auxiliary Enterprises ...		83,000	83,000
38	(c) Restricted Funds		18,832,344	18,832,344
39	SOURCE OF FUNDS:			

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		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	12,045,576		
2	(2) Federal Stimulus Funds,			
3	estimated		964,566	
4	(3) Federal and Other Funds .		30,839,826	
5	Total Education, State Board			
6	of - Athens State University	12,045,576	31,804,392	43,849,968
7	7. Jacksonville State Univer-			
8	sity, Board of Trustees:			
9	(a) Operations and Maintenance			
10	and Program Support	39,309,747	54,452,488	93,762,235
11	Of the above appropriation,			
12	\$1,324,983 shall be expended			
13	by the Alabama Small Business			
14	Institute of Commerce;			
15	\$220,830 shall be expended for			
16	the Wellness Initiative; and			
17	\$220,834 shall be expended for			
18	the Little River Canyon Field			
19	School.			
20	(b) Auxiliary Enterprises ...		5,507,379	5,507,379
21	(c) Restricted Funds		4,231,485	4,231,485
22	(d) Alabama Film Initiative			
23	Program	500,000		500,000
24	SOURCE OF FUNDS:			
25	(1) ETF	39,809,747		
26	(2) Federal Stimulus Funds,			
27	estimated		3,343,660	
28	(3) Federal and Other Funds .		60,847,692	
29	Total Jacksonville State Uni-			
30	versity, Board of Trustees ..	39,809,747	64,191,352	104,001,099
31	8. Montevallo, University of,			
32	Board of Trustees:			
33	(a) Operations and Maintenance			
34	and Program Support	19,235,561	21,895,195	41,130,756
35	(b) Auxiliary Enterprises ...		4,486,274	4,486,274
36	(c) Restricted Funds		10,618,810	10,618,810

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:			
2	(1) ETF	19,235,561		
3	(2) Federal Stimulus Funds,			
4	estimated		1,615,160	
5	(3) Federal and Other Funds .		35,385,119	
6	Total Montevallo, University			
7	of, Board of Trustees	19,235,561	37,000,279	56,235,840
8	9. North Alabama, University			
9	of, Board of Trustees:			
10	(a) Operations and Maintenance			
11	and Program Support	27,140,713	38,193,313	65,334,026
12	(b) Auxiliary Enterprises ...		9,391,399	9,391,399
13	(c) Restricted Funds		6,026,000	6,026,000
14	SOURCE OF FUNDS:			
15	(1) ETF	27,140,713		
16	(2) Federal Stimulus Funds,			
17	estimated		2,214,246	
18	(3) Federal and Other Funds .		51,396,466	
19	Total North Alabama, Univer-			
20	sity of, Board of Trustees ..	27,140,713	53,610,712	80,751,425
21	10. South Alabama, University of,			
22	Board of Trustees:			
23	(a) Operations and Maintenance			
24	and Program Support	108,132,145	417,297,200	525,429,345
25	(b) Auxiliary Enterprises ...		19,274,116	19,274,116
26	(c) Restricted Funds		50,662,500	50,662,500
27	SOURCE OF FUNDS:			
28	(1) ETF	108,132,145		
29	(2) Federal Stimulus Funds,			
30	estimated		10,768,819	
31	(3) Federal and Other Funds .		476,464,997	
32	Total South Alabama, Univer-	108,132,145	487,233,816	595,365,961

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	sity of, Board of Trustees ..		
2	11. Troy University, Board of		
3	Trustees:		
4	(a) Operations and Maintenance		
5	and Program Support	48,742,171	170,908,710
6	Of the above appropriation,		219,650,881
7	\$144,166 shall be expended for		
8	the Interpreter's Program;		
9	\$44,166 shall be expended for		
10	the Center for International		
11	Business and Economic Develop-		
12	ment; and \$44,166 shall be		
13	expended as an additional al-		
14	location for the Phenix City		
15	Campus.		
16	(b) Auxiliary Enterprises ...	14,141,880	14,141,880
17	(c) Restricted Funds	13,762,283	13,762,283
18	SOURCE OF FUNDS:		
19	(1) ETF	48,742,171	
20	(2) Federal Stimulus Funds,		
21	estimated	4,599,282	
22	(3) Federal and Other Funds .	194,213,591	
23	Total Troy University, Board		
24	of Trustees	48,742,171	198,812,873
25	12. West Alabama, University of,		247,555,044
26	Board of Trustees:		
27	(a) Operations and Maintenance		
28	and Program Support	14,073,524	12,160,234
29	Of the above appropriation,		26,233,758
30	\$769,743 shall be expended for		
31	the Alabama Medical Education		
32	Consortium; \$220,834 shall be		
33	expended for the Economic and		
34	Small Business Development		
35	Program; \$110,417 for the Re-		
36	gional Wellness and Fitness		
37	Center; \$39,750 shall be ex-		
38	pended for the National Young		
39	Farmers Education Association;		
40	and \$250,751 shall be expended		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	for the Black Belt Treasures			
2	Initiative.			
3	(b) Auxiliary Enterprises ...		3,789,142	3,789,142
4	(c) Restricted Funds		633,139	633,139
5	SOURCE OF FUNDS:			
6	(1) ETF	14,073,524		
7	(2) Federal Stimulus Funds,			
8	estimated		1,203,971	
9	(3) Federal and Local Funds .		15,378,544	
10	Total West Alabama, University			
11	of, Board of Trustees	14,073,524	16,582,515	30,656,039
12	3D. Other:			
13	1. Deaf and Blind, Alabama In-			
14	stitute for, Board of Trust-			
15	ees:			
16	(a) Adult Programs	10,107,689	7,618,145	17,725,834
17	(b) Children and Youth Pro-			
18	grams	27,884,350	4,275,733	32,160,083
19	(c) Industries for the Blind	8,613,302	23,091,833	31,705,135
20	SOURCE OF FUNDS:			
21	(1) ETF	46,605,341		
22	(2) Federal and Other Funds .		34,985,711	
23	Total Deaf and Blind, Alabama			
24	Institute for, Board of Trust-			
25	ees	46,605,341	34,985,711	81,591,052
26	2. Knight v. Alabama - Finan-			
27	cial Obligations:			
28	(a) Support of State Universi-			
29	ties Program, Estimated ...	10,728,571		10,728,571
30	Pursuant to the Settlement			
31	Agreement and Final Order in			
32	the Knight v. Alabama case			
33	CV-83-M-1676, the appropria-			
34	tion above includes the fol-			
35	lowing:			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Alabama State		
2	University		
3	-Trust for Edu-		
4	cational Excel-		
5	lence	1,000,000	
6	Alabama State		
7	University		
8	-Trust for Edu-		
9	cational Excel-		
10	lence Matching		
11	Funds of up to		
12	.....	1,000,000	
13	To provide up to \$1,000,000 to		
14	the extent same has been		
15	matched by gifts, grants, and		
16	contributions to the Trust.		
17	Alabama A & M		
18	University		
19	-Trust for Edu-		
20	cational Excel-		
21	lence	1,000,000	
22	Alabama A & M		
23	University		
24	-Trust for Edu-		
25	cational Excel-		
26	lence Matching		
27	Funds of up to	1,000,000	
28	To provide up to \$1,000,000 to		
29	the extent same has been		
30	matched by gifts, grants, and		
31	contributions to the Trust.		
32	Alabama State		
33	University-for		
34	Scholarships to		
35	Diversify Funds		
36	of up to	1,000,000	
37	To provide up to \$1,000,000		
38	pursuant to the requirements		
39	of the Settlement Agreement		
40	and Final Order. Any funds		
41	remaining after the payment of		
42	the scholarships shall be		
43	transferred to the Alabama		
44	Commission on Higher Educa-		
45	tion-Alabama Student Assis-		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	tance Program fund and shall			
2	not revert to the ETF at the			
3	end of the fiscal year.			
4	Alabama A & M			
5	University-for			
6	Scholarships to			
7	Diversify Funds			
8	of up to	1,000,000		
9	To provide up to \$1,000,000			
10	pursuant to the requirements			
11	of the Settlement Agreement			
12	and Final Order. Any funds			
13	remaining after the payment of			
14	the scholarships shall be			
15	transferred to the Alabama			
16	Commission on Higher Educa-			
17	tion-Alabama Student Assis-			
18	tance Program fund and shall			
19	not revert to the ETF at the			
20	end of the fiscal year.			
21	Edd Educational			
22	Leadership,			
23	Policy & Law	2,392,969		
24	Based on funding formula cal-			
25	culations provided by the Ala-			
26	bama Commission on Higher Edu-			
27	cation. This appropriation is			
28	the eighth year of eight years			
29	of funding for this program.			
30	PhD in Microbi-			
31	ology	1,335,602		
32	Based on funding formula cal-			
33	culations provided by the Ala-			
34	bama Commission on Higher Edu-			
35	cation. This appropriation is			
36	the fourth year of eight years			
37	of funding for this program.			
38	Two-Year			
39	Postsecondary			
40	Department, Al-			
41	abama A&M - Al-			
42	abama State			
43	University			
44	Transfer Schol-			
45	arship Program,	1,000,000		

	Education Trust Fund	earmarked Funds	Appropriation To- tal
1	Estimated		
2	SOURCE OF FUNDS:		
3	(1) ETF	10,728,571	
4	Total Knight v. Alabama - Fi-		
5	nancial Obligations	10,728,571	10,728,571
6	To be allocated and expended		
7	in accordance with the Final		
8	Order and Settlement Agreement		
9	in Knight v. Alabama, Civil		
10	Action CV 83-M-1676, 900 F		
11	Supp 272.		

12 Section 4. In addition to all other appropriations,
13 there is hereby appropriated \$8,940,252 from the Education
14 Trust Fund representing the remaining 50% of the interest in-
15 come accumulated at the rate of 6% from FY 1992 through FY
16 2002 for the K-12 school systems that did not receive alloca-
17 tions of interest from their Sixteenth Section Land Grants
18 held in trust by the State of Alabama, to be conditioned upon
19 the availability of funds, the recommendation of the Finance
20 Director, and approval of the Governor. This conditional ap-
21 propriation is pursuant to the Class Settlement Agreement
22 signed by the Covington County Circuit Court on December 9,
23 2004.

Distribution of

24 School System Name Interest

1	Autauga County	\$2,152
2	Baldwin County	55,478
3	Barbour County	341
4	Bibb County	13,475
5	Blount County	5,573
6	Calhoun County	567,608
7	Piedmont City	120
8	Cherokee County	35,893
9	Chilton County	19,172
10	Choctaw County	254,676
11	Clarke County	265,845
12	Thomasville City	17,620
13	Clay County	273
14	Cleburne County	1,819
15	Coffee County	15,199
16	Elba City	303
17	Enterprise City	271
18	Colbert County	862,096

1	Muscle Shoals City	58,834
2	Sheffield City	10,699
3	Tuscumbia City	56,553
4	Conecuh County	46
5	Coosa County	7,812
6	Covington County	1,335,886
7	Andalusia City	188,267
8	Opp City	161,250
9	Cullman County	95,546
10	Dale County	1,177
11	Daleville City	892
12	Dallas County	2,471
13	Selma City	1,266
14	DeKalb County	16,101
15	Fort Payne City	1,420
16	Elmore County	19,248
17	Tallassee City	1,156
18	Escambia County	249,835

1	Brewton City	20,523
2	Etowah County	107
3	Gadsden City	29
4	Fayette County	29,036
5	Franklin County	622,371
6	Russellville City	130,179
7	Geneva County	510,370
8	Geneva City	41,626
9	Greene County	258,426
10	Hale County	19,343
11	Henry County	32,646
12	Houston County	107,277
13	Dothan City	649
14	Jackson County	123,983
15	Scottsboro City	2,034
16	Jefferson County	1,320,529
17	Birmingham City	297
18	Lamar County	1,621

1	Lauderdale County	271,761
2	Florence City	18,953
3	Lawrence County	5,169
4	Limestone County	285
5	Athens City	6,630
6	Lowndes County	1,210
7	Macon County	13,766
8	Madison County	61
9	Huntsville City	522
10	Madison City	108
11	Marengo County	113,077
12	Demopolis City	2,559
13	Linden City	36,318
14	Marion County	343,220
15	Winfield City	31,151
16	Marshall County	11,001
17	Guntersville City	102
18	Monroe County	10,760

1	Montgomery County	117
2	Morgan County	603
3	Decatur City	66,869
4	Perry County	2,074
5	Pickens County	1,717
6	Pike County	83
7	Randolph County	6,074
8	Roanoke City	852
9	Russell County	107
10	Phenix City	21
11	Saint Clair County	22,582
12	Pell City	89
13	Shelby County	6,914
14	Sumter County	41,067
15	Talladega County	201
16	Sylacauga City	48
17	Talladega City	28
18	Tallapoosa County	15

1	Tuscaloosa County	10,950
2	Tuscaloosa City	41
3	Walker County	346
4	Washington County	303,595
5	Wilcox County	30,619
6	Winston County	26,025
7	Haleyville City	5,143

8 Section 5. In addition to all other appropriations,
 9 there is hereby appropriated from the Education Trust Fund the
 10 following amounts to be conditioned upon the availability of
 11 funds, the recommendation of the Director of Finance, and the
 12 approval of the Governor:

13	Entity	Appropriation
	Department of Education-for the Al-	
14	a. abama Reading Initiative	\$5,000,000
	Department of Education-for the Al-	
	abama Math/Science/Technology Ini-	
15	b. tiative	\$11,830,455
16	c. Department of Education-for Dis-	\$5,361,024

tance Learning (ACCESS)

Foundation Program/Local Boards of

17 d. Education - Other Current Expense \$20,000,000

Foundation Program/Local Boards of

18 e. Education - Transportation Program \$13,000,000

Department of Education-for Ad-

19 f. vanced Placement \$1,240,000

Department of Education-Teacher Re-

20 g. cruitment Incentives \$2,716,500

Department of Education-Teacher

21 h. Mentoring \$1,442,500

22 Section 6. It is the intent that each public
 23 four-year and two-year higher education institution make its
 24 best effort to use the equivalent of ten percent of its
 25 federal work study allocations for the purpose of tutoring and
 26 mentoring students in grades K-12 to better prepare them for
 27 graduation, college entry and retention. Institutions shall
 28 work with their respective governing boards to develop and
 29 implement this effort. Each institution shall report by the
 30 first day of the Regular Session to the State Superintendent
 31 and the Legislative Fiscal Officer on its implementation of
 32 this Section.

1 Section 7. The appropriations made herein to an
2 agency or entity are for the valid purposes and/or operation
3 and maintenance of that agency or entity. There shall be no
4 pass-through appropriation by that agency or entity at the
5 direction of any member of the legislative, executive or
6 judicial branch of government. The director of any agency or
7 entity that is directed by a member of the legislative,
8 executive or judicial branch of government to pass-through an
9 appropriation to another state or non-state entity shall
10 report such directive to the Chairs of the House Education
11 Appropriations Committee and the Senate Finance and
12 Taxation-Education Committee. Nothing in this section is
13 intended to prohibit a legislator or any other person from
14 asking for or asking about the status of a project that falls
15 within the legal purpose or function of that agency.

16 Section 8. In addition to the appropriations herein
17 made, all gifts, grants, contributions, insurance proceeds or
18 entitlements, in excess of the amount carried in this act,
19 including grants by the Congress of the United States,
20 municipalities or counties, to any department, division,
21 board, bureau, commission, agency, institution, office or
22 officer of the State of Alabama are hereby appropriated and,
23 in the event the same are recurring, are reappropriated to
24 such department, division, board, bureau, commission, agency,
25 institution, office or officer to be used only for the purpose

1 or purposes for which the grant or contribution was or shall
2 be made. Further, all state, county, municipal and educational
3 entities are authorized to disburse such sums as deemed
4 necessary by mutual agreement between said entities and the
5 State of Alabama, Department of Examiners of Public Accounts
6 to partially defray the cost of auditing services performed by
7 said agency. All such sums are hereby appropriated and
8 reappropriated if necessary to the Department of Examiners of
9 Public Accounts for audit services, to be expended through the
10 fund established by Section 41-5-24, Code of Alabama 1975.

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

21 Section 10. Nothing in this act shall be construed
22 to affect or repeal any law authorizing or permitting any
23 college, school or other education or eleemosynary institution
24 of the State to receive, collect or disburse any fees,
25 tuitions, charges, sales, endowments, trusts or income

1 therefrom, which are now or may hereafter be authorized to
2 receive, collect or disburse. The receiving college, school or
3 institution shall further maintain separate accounts for such
4 receipts or shall maintain a system of accounting which will
5 show a cash flow of such receipts received under the provision
6 of this appropriation.

7 Section 11. The appropriations made herein to the
8 departments, boards, offices, commissions, and agencies
9 include the amount necessary and said departments, boards,
10 offices, commissions, and agencies are hereby directed to make
11 the transfer of funds to the State Personnel Department in the
12 amounts enumerated in the general appropriations act for the
13 fiscal year ending September 30, 2010. All agencies and
14 institutions enumerated in this act that receive services from
15 other governmental agencies enumerated in this act or the
16 general appropriations act shall make full payment in a timely
17 manner (as determined by the Department of Finance) for such
18 services.

19 Section 12. All encumbered balances of a previous
20 fiscal year appropriation other than the exclusions authorized
21 by the Code of Alabama 1975, Section 41-4-93, shall lapse no
22 later than September 30 of the fiscal year immediately
23 following the fiscal year for which the appropriation was made
24 and shall revert to the credit of the Education Trust Fund or

1 earmarked fund from which the appropriation or appropriations
2 were made.

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

15 Section 14. All state-mandated and state-funded
16 salary increases and fringe benefits for Child Nutrition
17 Program workers shall be fully-funded from the Foundation
18 Program appropriation in this act, and shall therefore be
19 subsequently fully-funded by all local boards of education
20 from funds provided in this act from Other Current Expense and
21 not from funds generated by the Child Nutrition Program unless
22 the local school system's Child Nutrition Program has in
23 excess of a three-month operating reserve. Before any funds
24 may be utilized by the local board of education to pay for
25 salary or fringe benefits, the State Department of Education

1 Child Nutrition Program Administrator shall conduct an
2 analysis of each local board of education's Child Nutrition
3 Program, and certify that the program meets the three-month
4 balance as of the end of the previous fiscal year and shall
5 therefore insure that the use of the funds in excess of a
6 three-month balance will not be detrimental to the local Child
7 Nutrition Program. The State Department of Education Child
8 Nutrition Program Administrator shall certify to the State
9 Superintendent of Education that funds utilized in excess of a
10 three-month balance as of the end of the previous fiscal year
11 are in excess of any funds contained in an approved corrective
12 plan submitted by the local school system's Child Nutrition
13 Program for expenditures at each applicable school site for
14 facilities, equipment, personnel, and/or salary schedule
15 adjustments. It is the intent that no employee shall suffer a
16 reduction of hours, benefits, compensation, or termination of
17 employment and that no local Child Nutrition Program services
18 shall be contracted out as a result of this section. It is
19 further the intent of the Legislature that the State
20 Department of Education shall help to develop a plan to
21 eliminate any financial deficiencies that may arise in a local
22 Child Nutrition Program as a result of this section, and that
23 disputes which may arise regarding corrective action plans are
24 to be resolved by the State Department of Education
25 consolidated monitoring teams. The State Department of

1 Education shall give an annual report to the Legislature, the
2 Chair of the House Education Appropriations Committee, the
3 Chair of the Senate Finance and Taxation-Education Committee,
4 and the Legislative Fiscal Officer one month prior to each
5 regular session of the Legislature on the impact of this
6 section on the local Child Nutrition Programs.

7 Section 15. For FY 2010, local boards of education
8 may exercise flexibility among line item expenditures, not to
9 exceed 20% in any line item and not to create a reduction of
10 earned teacher units and/or local board of education support
11 personnel.

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

20 Section 17. Any amounts that may become due and
21 payable of Public School and College Authority Swaptions are
22 hereby authorized to be paid in the same manner as other debt
23 service on Public School and College Authority bonds.

24 Section 18. Notwithstanding any other provisions of
25 this act or any other act, any amount from appropriations for

1 the fiscal year ending September 30, 2009 to the various state
2 agencies and institutions in this act which are unexpended and
3 reverted on September 30, 2009 are hereby reappropriated to
4 the respective offices for the fiscal year beginning October
5 1, 2009.

6 Section 19. The Department of Finance may charge
7 agencies and other recipients of federal stimulus funds for
8 the cost of administering the American Recovery and
9 Reinvestment Act of 2009, to be paid by such agencies and
10 recipients from federal stimulus funds.

11 Section 20. If any section, paragraph, sentence,
12 clause, provision or portion of this act or all or any portion
13 of the appropriations herein made is held unconstitutional or
14 invalid, it shall not affect any other section, paragraph,
15 sentence, clause, provision or portion of this act or any
16 other appropriation or appropriations or portion thereof
17 hereby made not in and of itself unconstitutional or invalid.

18 Section 21. All laws or parts of laws, general,
19 special, private or local in conflict with or inconsistent
20 with the provisions of this act are hereby expressly repealed.

21 Section 22. This act shall become effective on
22 October 1, 2009.

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2
3
4 President and Presiding Officer of the Senate

5
6 Speaker of the House of Representatives

7 SB570

8 Senate 21-APR-09

9 I hereby certify that the within Act originated in and passed
10 the Senate, as amended.
11

12 McDowell Lee
13 Secretary
14

15
16
17 House of Representatives
18 Amended and passed 28-APR-09
19

20
21 Senate concurred in House amendment 30-APR-09
22

23
24 By: Senator Sanders

APPROVED

TIME

GOVERNOR

Alabama Secretary Of State

Act Num.....: 2009-339
Bill Num....: S-570

Recv'd 05/04/09 04:26pm JJB