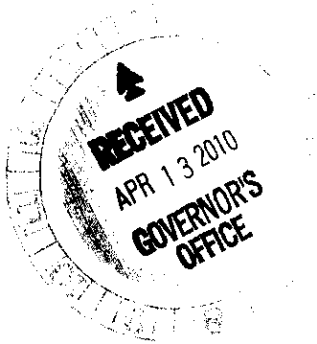


ACT No. 2010 - 610

1 HB274
2 116413-21
3 By Representatives Lindsey, Gipson, Bentley, Buskey, Kennedy,
4 Greeson, Oden, Taylor, Letson, Hinshaw, Rogers, Fields, Graham
5 and Boyd
6 RFD: Education Appropriations
7 First Read: 14-JAN-10



1
2 ENROLLED, An Act,

3 To make appropriations for the support, maintenance
4 and development of public education in Alabama, for debt
5 service, and for capital outlay for the fiscal year ending
6 September 30, 2011.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. There is hereby appropriated for the
9 support of public education in Alabama for the fiscal year
10 ending September 30, 2011, for debt service, and for capital
11 outlay to be paid out of funds specified in subsection (a) of
12 Section 2 of this act, the amounts specified in subsections
13 (a), (b), (c), and (d) of Section 3 and Sections 4, 5, 12, 15,
14 17, 18 and 21 of this act. For the purpose specified in
15 subsection (b) of Section 2 of this act, amounts are shown by
16 programmatic area and the total for all programs is shown so
17 as to include estimated sources of funds other than those
18 listed in subsection (a) of Section 2 of this act. For the
19 purpose of this act, "ETF" shall mean the Education Trust Fund
20 and "Federal and Local Funds" shall mean all gifts, grants,
21 contributions, or entitlements, including grants by the
22 Congress of the United States, municipalities or counties.

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

1 Standards and Training Fund, Impaired Drivers Trust Fund,
2 Driver Education and Training Fund, Special Education
3 Catastrophic Fund, Alabama Veterans Assistance Fund, and
4 Public School Fund and are hereby made for the support of
5 public education in Alabama for the fiscal year ending
6 September 30, 2011, and the appropriations herein made shall
7 be subject to the provisions, terms, conditions and
8 limitations of the Budget and Financial Control Act (Code of
9 Alabama 1975, Sections 41-4-80 et seq.), the provisions of the
10 Budget Management Act of 1976 (Code of Alabama 1975, Sections
11 41-19-1 et seq.), and shall be in the amounts hereinafter
12 specified.

13 (b) Amounts shown hereinunder the columns "Earmarked
14 Funds" and "Appropriation Total" are as set forth for the
15 purpose of establishing amounts estimated to be available by
16 programmatic area from sources other than those listed in
17 subsection (a) of this Section 2, in order, upon consideration
18 of such other funds so estimated to be available, to promote
19 the accountability for an efficient use of funds available,
20 and the same are hereby appropriated by the Legislature.
21 Provided, however, that regardless of the ending date of any
22 pay period which has been or may be established by the
23 Legislature for the payment of salaries of state employees,
24 the entire payment due shall be made from the fiscal year's
25 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 ..	6,891,250		6,891,250
SOURCE OF FUNDS:			
(1) ETF	6,891,250		
Total Examiner of Public Ac- counts	6,891,250		6,891,250
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.			
2. Law Institute, Alabama:			
(a) Support of Other Educa- tional Activities Program .	269,981		269,981
SOURCE OF FUNDS:			
(1) ETF	269,981		
Total Law Institute, Alabama	269,981		269,981

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	3. Legislative Fiscal Office:			
2	(a) Legislative Operations and			
3	Support Program	346,405		346,405
4	SOURCE OF FUNDS:			
5	(1) ETF	346,405		
6	Total Legislative Fiscal Of-			
7	fice	346,405		346,405
8	4. Legislative Reference Ser-			
9	vice:			
10	(a) Legislative Operations and			
11	Support Program	99,674		99,674
12	SOURCE OF FUNDS:			
13	(1) ETF	99,674		
14	Total Legislative Reference			
15	Service	99,674		99,674
16	This appropriation to the Leg-			
17	islative Reference Service			
18	shall be expended for the re-			
19	vision of Title 16 of the Code			
20	of Alabama 1975.			
21	3B. Executive Branch:			
22	1. American Legion and Auxil-			
23	iary Scholarships:			
24	(a) Financial Assistance Pro-			
25	gram, Estimated	112,500		112,500
26	SOURCE OF FUNDS:			
27	(1) ETF	112,500		
28	Total American Legion and Aux-			
29	iliary Scholarships	112,500		112,500
30	To be expended under the pro-			
31	visions of Code of Alabama			
32	1975, Sections 16-31-1 through			
33	16-31-4.			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 2. Archives and History, De-			
2 partment of:			
3 (a) Historical Resources Man-			
4 agement Program	3,338,680		3,338,680
5 SOURCE OF FUNDS:			
6 (1) ETF	3,338,680		
7 Total Archives and History,			
8 Department of	3,338,680		3,338,680
9 The above appropriation shall			
10 be expended to support the			
11 educational functions of Ar-			
12 chives and History.			
13 3. Arts, State Council on the:			
14 (a) Fine Arts Program	4,625,624	934,500	5,560,124
15 SOURCE OF FUNDS:			
16 (1) ETF	4,625,624		
17 (2) Federal Stimulus Funds,			
18 estimated		112,000	
19 (3) Federal and Local Funds .		822,500	
20 Total Arts, State Council on			
21 the	4,625,624	934,500	5,560,124
22 4. Building Commission, State:			
23 (a) Special Services Program	525,485		525,485
24 SOURCE OF FUNDS:			
25 (1) ETF-Transfer	525,485		
26 Total Building Commission,			
27 State	525,485		525,485
28 5. Child Abuse and Neglect Pre-			
29 vention, Department of:			
30 (a) Social Services Program .	1,583,460		1,583,460
31 In accordance with Sections			
32 26-16-1 et seq., Code of Ala-			
33 bama 1975.			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 SOURCE OF FUNDS:			
2 (1) ETF-Transfer	1,583,460		
3 Total Child Abuse and Neglect			
4 Prevention, Department of ...	1,583,460		1,583,460
5 6. Children's Affairs, Depart-			
6 ment of:			
7 (a) Social Services Program .	18,590,252		18,590,252
8 The proposed spending plan for			
9 the ETF monies included in the			
10 above program is as follows:			
11 Office of			
12 School Readiness			
13	18,376,806		
14 Operations and			
15	Maintenance ..	213,446	
16 SOURCE OF FUNDS:			
17 (1) ETF	18,590,252		
18 Total Children's Affairs, De-			
19 partment of	18,590,252		18,590,252
20 7. Debt Service:			
21 (a) General Obligation Bonds,			
22	Series 2001-A, or subsequent		
23	refunding issue, Estimated	773,272	773,272
24 (b) General Obligation Bonds,			
25	Series 2005-A, Estimated ..	5,999,886	5,999,886
26 (c) General Obligation Bonds,			
27	Series 2001-B, or subse-		
28	quent refunding issue, Esti-		
29	mated	178,866	178,866
30 (d) Payments on Endowments ..			
		81,880	81,880
31 Payments on endowments shall			
32 be as follows:			
33 For interest on Auburn Univer-			
34	sity Endowment ...20,280		
35 For interest on University of			
36	Alabama Endowment ...61,000		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 For interest on Grove Hill			
2 Endowment ...600			
3 (e) Interest on Public School			
4 Fund Endowment	532,864		532,864
5 Interest on Public School Fund			
6 Endowment shall be as follows:			
7 Interest on 16th Section			
8 Lands, Estimated ...410,000			
9 Interest on School Indemnity			
10 Lands, Estimated ...90,000			
11 Interest on Valueless 16th			
12 Section Land ...5,825			
13 Interest on Surplus Revenue			
14 ...26,764			
15 Interest on James Wallace Fund			
16 ...275			
17 SOURCE OF FUNDS:			
18 (1) ETF, Estimated	7,033,904		
19 (2) ETF-Transfer	532,864		
20 Total Debt Service	7,566,768		7,566,768
21 In addition to the above ap-			
22 propriation for debt service,			
23 there is hereby appropriated			
24 from the APSCA 2009-D Fiscal			
25 Fees and Expense Fund an			
26 amount as deemed necessary by			
27 the Director of Finance to			
28 make payments for the fiscal			
29 fees and other expenses asso-			
30 ciated with the APSCA 2009-D			
31 bonds.			
32 8. Dental Scholarship Awards,			
33 Board of:			
34 (a) Support of Other Educa-			
35 tional Activities Program .	273,720		273,720
36 To be expended under the pro-			
37 visions of Code of Alabama			
38 1975, Sections 16-47-76			

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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through 16-47-81.

SOURCE OF FUNDS:

(1) ETF	273,720	
Total Dental Scholarship Awards, Board of	273,720	273,720

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

(a) Foundation Program	3,246,006,434	694,731,459	3,940,737,893
Notwithstanding Section 16-13-232 of the Code of Alabama, 1975, of the above appropriation that is allocated to fund current teacher units, \$150,000 shall be earmarked to fund current teacher units in the Saraland City School System.			

(b) Transportation Program ..	245,100,957		245,100,957
The above appropriation includes no funds for fleet renewal. The State Superintendent is directed to withhold transportation funds used to pay employee benefits including but not limited to PEEHIP, sick leave, teacher retirement, and F.I.C.A. from any local board which does not directly provide these benefits to transportation employees. No local board shall be allowed to convert funding provided in this budget for employee benefits into other uses or expenditures. The State Examiner of Public Accounts shall assure compliance. The rate per day for two personal days and five sick days for transportation personnel shall be \$40. An appropriately certified transporta-			

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	tion substitute shall be em-		
2	ployed for the absent trans-		
3	portation employee for each		
4	day the employee is absent.		
5	The Department of Education is		
6	directed to withhold funds		
7	from local systems not employ-		
8	ing substitutes for absent		
9	transportation employees. Such		
10	withheld funds shall revert to		
11	the Education Trust Fund.		
12	(c) At-Risk Student Program .	23,416,334	23,416,334
13	Each district shall receive		
14	its pro rata share for each		
15	student who is defined as be-		
16	ing at-risk of dropping out of		
17	school or is performing at an		
18	academic level below current		
19	grade placement. School sys-		
20	tems should be encouraged to		
21	successfully move students		
22	from the at-risk category.		
23	Therefore, a school system		
24	shall maintain its at-risk		
25	funding for every student re-		
26	moved from its at-risk defini-		
27	tion for the next two fiscal		
28	years. Local school districts		
29	shall maintain separate ac-		
30	counts for all funds received		
31	in this category. The funds		
32	provided in this section are		
33	specifically designated for		
34	special programs to serve		
35	these students and may not be		
36	used as a part of a local		
37	school district's general op-		
38	erating budget. Local school		
39	systems in partnership with		
40	and funding from the Depart-		
41	ment of Education are expected		
42	to establish programs which		
43	will increase learning oppor-		
44	tunities for at-risk students.		
45	These programs shall include,		
46	but not be limited to, af-		
47	ter-school tutoring, summer		

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

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

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1 dent programs to improve the
 2 efficiency and utilization of
 3 technology-based educational
 4 resources in the classroom. As
 5 a part of the above appropria-
 6 tion for the At-Risk Student
 7 Program, there is hereby ap-
 8 propriated \$750,000 for the
 9 Alabama Student Information
 10 Management System (ASIMS).
 11 ASIMS will allow the continued
 12 support and maintenance of the
 13 Information Management System
 14 which permits each Local Edu-
 15 cation Agency and the State
 16 Department of Education to
 17 comply with all state and fed-
 18 eral accountability standards
 19 and reporting obligations. It
 20 is the intent of the Legisla-
 21 ture that schools and school
 22 systems involve the community
 23 in planning and implementing
 24 at-risk programs. Therefore,
 25 schools shall expend at least
 26 20% of the at-risk funds to
 27 partner with non-profit commu-
 28 nity organizations in planning
 29 and implementing at-risk pro-
 30 grams which directly assist in
 31 improving academic perfor-
 32 mance. Such programs may in-
 33 clude, but not be limited to,
 34 Boys and Girls Clubs, YMCAs,
 35 21st Century Leadership, Pell
 36 City Bridge Builders, Alabama
 37 Young Farmers Education Pro-
 38 gram, and local civic and
 39 charitable organizations. It
 40 is the intent of the Legisla-
 41 ture that these funds not be
 42 utilized to partner with gov-
 43 ernmental nor
 44 quasi-governmental agencies
 45 and entities whose functions
 46 already include programs des-
 47 ignated for at-risk funding.

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	The local school board shall		
2	set forth the efforts made to		
3	identify and involve community		
4	organizations. The local board		
5	shall revert to the ETF any		
6	portion of the 20% of its		
7	at-risk funding which was not		
8	expended on partnerships with		
9	qualifying community organiza-		
10	tions. If after a diligent		
11	process the local board cannot		
12	identify effective community		
13	organizations, the local board		
14	may request a waiver from this		
15	20% requirement from the State		
16	Superintendent of Education.		
17	The local board must submit an		
18	alternative plan to the State		
19	Superintendent accompanying		
20	the request for the waiver.		
21	The State Superintendent may		
22	approve a waiver only upon		
23	good and sufficient cause. In		
24	appropriate situations, busi-		
25	nesses may partner with		
26	schools or school systems for		
27	at-risk programs but may not		
28	receive any compensation or		
29	reimbursement for expenses or		
30	other costs. The State Board		
31	of Education is hereby autho-		
32	rized, at its discretion, to		
33	institute a pilot program to		
34	employ behavioral support spe-		
35	cialists in public middle		
36	schools.		
37	(d) Endowment Interest Pro-		
38	gram-Public School Fund,		
39	Estimated	532,864	532,864
40	(e) Public School Fund, Esti-		
41	mated	175,000,000	175,000,000
42	Notwithstanding the provisions		
43	of Section 16-13-234 Code of		
44	Alabama, 1975, or Section 14		
45	of this Act, the local boards		
46	of education shall have flexi-		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	bility to spend Public School			
2	Funds appropriated in this			
3	Act, after the payment of			
4	pledged debt service or obli-			
5	gated capital projects, for			
6	other operating expenses.			
7	(f) Board of Adjustment	642,501		642,501
8	(g) School Nurses Program ...	31,244,042		31,244,042
9	To be distributed so that each school system shall receive one nurse and additional			
10	nurse or fractions of a nursing allocation based upon the average daily membership			
11	during the first 20 scholastic days after Labor Day of the preceding school year.			
12	The School Nurses Program shall use the following salary matrix to determine nursing			
13	salaries, based on 187 contract days and seven and one-half working hours per day.			
14	No funds provided herein for the School Nurses Program shall be used for the payment			
15	of any salaries of nurses who are not under the direct control, employment, and su-			
16	pervision of local boards of education. The pay of any part-time employee shall con-			
17	form to the pro-rata share of the following matrix:			
18	Years Expe-			
19	rience	LPN	RN	RN/MS
20	less than 3	19,000	36,144	41,564
21	3 but less			
22	than 6	20,881	39,756	45,720
23	6 but less			
24	than 9	21,779	41,497	47,721
25	9 but less			
26	than 12	22,062	42,053	48,362
27	12 but less			
28	than 15	22,459	42,818	49,238
29	15 but less			
30	than 18	22,953	43,794	50,364
31	18 but less			
32	than 21	23,229	44,360	51,012
33	21 but less			
34	than 24	23,507	44,926	51,666
35	24 but less			
36	than 27	24,007	45,461	52,201
37	27 or more	24,507	45,997	52,737
38	As a part of the above appropriation for the School Nurses Program, there is hereby			
39	appropriated \$250,000 for the collection and management of statewide student health			
40	data, school by school.			
41	(h) Capital Outlay Pro-		54,505,553	54,505,553

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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gram-Federal and Local
Funds, Estimated

(i) Information Technology

Services Program

3,704,041

3,704,041

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

SOURCE OF FUNDS:

(1) ETF

3,550,114,309

(2) Federal Stimulus Funds,
estimated

179,434,391

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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(3) Federal and Local Funds .	569,802,621	
(4) Public School Fund, Estimated	175,532,864	
Total Education, State Board of - Local Boards of Education	3,550,114,309	924,769,876 4,474,884,185

The above appropriation shall be distributed by the State Board of Education in accordance with the provisions of the Code of Alabama 1975, Sections 16-13-230 through 16-13-239, and all other laws and regulations of the State Board of Education relating to the expenditure of such funds. These funds shall be used to provide a minimum school term of 180 full instructional days and for equitable educational opportunities in the public schools of the state. Foundation Program calculations for FY 2010-2011 are based on the funding divisors set forth below. Units earned under the Foundation Program shall be employed as regular classroom teachers until and/or unless the local school achieves class sizes equal to or less than the following as mandated by the State Board of Education: grades K-3, maximum of 18; grades 4-6, maximum of 26; and grades 7-12, maximum of 29. The divisors listed below shall not serve to prescribe pupil-teacher ratios.

Grades K-3 ...	13.8
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Grades 4-6 ...	21.4
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Grades 7-8 ...	20.0
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Grades 9-12 ..	18.0
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In allocating the funds in the Foundation Program, the State Board of Education shall allot funds based on the rates established as follows:

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

Years Experience	BS	MS	6Y	DO	ND
less than 3	36,144	41,564	44,818	48,071	36,144
3 but less than 6	39,756	45,720	49,297	52,877	39,756
6 but less than 9	41,497	47,721	51,470	55,191	41,497
9 but less than 12	42,053	48,362	52,148	55,932	42,053
12 but less than 15	42,818	49,238	53,093	56,949	42,818

		Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	15 but less				
2	than 18	43,794	50,364	54,305	58,244
3	18 but less				43,794
4	than 21	44,360	51,012	55,005	58,999
5	21 but less				44,360
6	than 24	44,926	51,666	55,708	59,752
7	24 but less				44,926
8	than 27	45,461	52,201	56,245	60,288
9	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 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 these 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 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

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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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, 2010. 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 \$15.88 per pupil in average daily membership during the first 20 scholastic days after Labor Day of the preceding school year; (2) classroom materials and supplies at \$0 per unit earned in the Foundation Program and (3) library enhancement at \$0 per unit earned in the Foundation Program. 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	277,330,343	245,273,670	522,604,013
(b) Auxiliary Enterprises ...		33,045,000	33,045,000
(c) Restricted Funds		240,669,400	240,669,400
(d) Operations and Maintenance of Postsecondary Prison Edu- cation (ETF)	8,602,360		8,602,360

Of the above appropriation,

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	\$2,061,751 shall be expended			
2	for Therapeutic Education.			
3	(e) Adult Education Program	13,220,516	12,744,603	25,965,119
4	(f) Special Populations Train-			
5	ing	5,260,118		5,260,118
6	For programs to prepare the			
7	inmate population, parolees or			
8	other special populations des-			
9	ignated by the Chancellor for			
10	entry into the workforce			
11	through adult education,			
12	preemployment skills training,			
13	and short-term intensive ca-			
14	reer technical training.			
15	(g) Mine Safety Training Pro-			
16	gram at Bevill State Commu-			
17	nity College	245,122		245,122
18	(h) Postsecondary Education			
19	Department - Administration	5,734,980	3,733,336	9,468,316
20	(i) Postsecondary/Tech Col-			
21	leges - Truck Driving Train-			
22	ing	255,914	2,750,000	3,005,914
23	Of the above appropriation,			
24	\$255,914 shall be expended for			
25	the Truck Driver Training Pro-			
26	gram at Central Alabama Commu-			
27	nity College. The above appro-			
28	priation from earmarked funds			
29	is estimated and shall be ex-			
30	pended pursuant to Section			
31	32-5-313, Code of Alabama			
32	1975.			
33	(j) Workforce Development ...	5,636,146	26,344,999	31,981,145
34	The Workforce Development			
35	Funds shall be distributed by			
36	the State Board of Education			
37	upon recommendation of the			
38	Chancellor to develop and im-			
39	plement programs to provide a			
40	skilled workforce and to pro-			
41	vide college operations and			
42	maintenance allocations for			
43	workforce and economic devel-			
44	opment. Of the above appropri-			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	ation for Workforce Develop-		
2	ment, \$925,000 shall be dis-		
3	tributed for 3-D instructional		
4	centers at Wallace State Com-		
5	munity College - Selma; Cen-		
6	tral Alabama Community Col-		
7	lege; and Wallace State Commu-		
8	nity College - Hanceville and		
9	\$600,000 shall be expended for		
10	Career Coaches. Of the above		
11	appropriation for Workforce		
12	Development, at least 30%		
13	shall be recommended by the		
14	Workforce Departmental Review		
15	Committee to the Chancellor		
16	for workforce development pro-		
17	grams in the twenty-three		
18	counties with the highest un-		
19	employment rates in Alabama		
20	and these programs shall not		
21	be subject to review and ap-		
22	proval by the State Workforce		
23	Planning Council. The Chancel-		
24	lor shall submit a quarterly		
25	report to the Chair of the		
26	Senate Committee on		
27	F&T-Education, the Chair of		
28	the House Education Appropria-		
29	tions Committee and the Direc-		
30	tor of the Legislative Fiscal		
31	Office, with such report not-		
32	ing the counties impacted by		
33	this provision, the number of		
34	persons served and the amounts		
35	expended under this provision.		
36	(k) Marion Military Institute	6,056,899	6,056,899
37	(l) Alabama Technology Network		
38	.....	4,900,124	4,900,124
39	(m) English as a Second Lan-		
40	guage	100,000	100,000
41	Of the above appropriation to		
42	the Two-Year College System, a		
43	total of \$100,000 shall be		
44	used by the Chancellor to con-		
45	tract with other public or		
46	private institutions of higher		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 education in order to provide			
2 programs designed to provide			
3 assistance to persons attend-			
4 ing or served by the colleges			
5 that do not utilize English as			
6 their native language so they			
7 may become proficient in read-			
8 ing, writing and speaking Eng-			
9 lish.			

SOURCE OF FUNDS:

(1) ETF	327,342,522		
(2) Federal Stimulus Funds, estimated		17,735,504	
(3) Federal and Other Funds .		546,825,504	
Total Education, State Board of - Two-Year College System	327,342,522	564,561,008	891,903,530

(1) The allocations as set forth above shall be distributed by the State Board of Education through the Office of the Chancellor.

(2) The above appropriation from the ETF for Operations and Maintenance shall be distributed to each of the colleges, except Marion Military Institute. Shelton State Community College shall receive \$1,062,212 to operate the Poison Control Center; \$653,997 shall be allocated to Jefferson State Community College to fund the Center for Labor Education and Research (CLEAR) previously funded at the University of Alabama in Birmingham; ~~\$63,250~~ 116,583 shall be allocated to Jefferson State Community College - Community Outreach Partnership Center for the Predator Avoidance Education Program and other educational purposes; \$185,000 shall be allocated to Shelton State Community College for a partnership with the University of West Alabama for the preservation of labor education; and \$277,500 shall be allocated to Gadsden State Community College for economic development, allied health sciences and nursing programs. In addition, \$230,000 shall be transferred from Northwest Shoals Community College to the Alabama Industrial Development Training Institute for the Alabama Center for Advanced Woodworking Technology. The remaining balance shall be allocated among colleges in an amount equal to the percent of the continuing and permanent Operations and Maintenance allocation received from the ETF in FY 2010.

(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 2010.

(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. At

Education Trust Fund	Earmarked Funds	Appropriation Total
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least 10% of the appropriation for Adult Education shall be recommended by the Vice Chancellor for Instructional Services to the Chancellor for programs for individuals that do not have a high school diploma and live in communities impacted by higher unemployment rates than the state average unemployment rate. The Chancellor shall submit a quarterly report to the Chair of the Senate Committee on F&T-Education, the Chair of the House Education Appropriations Committee and the Director of the Legislative Fiscal Office, with such report noting the counties impacted by this provision, the number of persons served and the amounts expended under this provision.

(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 2010 from all sources, except for any savings recognized from the refinancing of bonds.

(6) From the above appropriation for the Alabama Technology Network not less than \$75,000 shall be expended for the continuation of Gadsden State Community College's AFL-CIO partnership program for trainers and trainees for Goodyear in Gadsden and \$267,101 shall be expended for the AFL-CIO partnership program.

(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	170,582,580	89,717,107	260,299,687
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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	33,665,829
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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 and ~~\$950,000 shall be expended to link the Alabama Student Information Management Systems (ASIMS) to student home com-~~

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	puters.	
2	Operations and	
3	Maintenance for	
4	the Alabama	
5	Reading Initia-	
6	tive	59,952,360
7	Operations and	
8	Maintenance for	
9	Math/Science/Te	
10	chnology Ini-	
11	tiative	26,854,967
12	Arts Education	
13	for Art Educa-	
14	tion programs	
15	in areas evalu-	
16	ated and re-	
17	viewed by the	
18	Black Belt Ac-	
19	tion Commission	
20	.....	533,882
21	Teacher/Student	
22	Testing	7,038,975
23	To be expended for	
24	teacher/student test develop-	
25	ment and expenses directly	
26	related to teacher and student	
27	assessment.	
28	Children's Eye	
29	Screening Pro-	
30	gram and Fol-	
31	low-up Eye Care	
32	.....	2,203,241
33	Of the above appropriation,	
34	\$1,125,128 shall be used to	
35	provide eye screening for	
36	Grades K, 2 and 4. The method	
37	of screening shall be color	
38	photo refraction as developed	
39	by the National Aeronautics	
40	and Space Administration and	
41	\$1,078,113 shall be used to	
42	provide follow-up care for	
43	those Grades K, 2 and 4 stu-	
44	dents. Follow-up eye care ser-	

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	vices shall include, but not		
2	be limited to, providing as-		
3	sistance in obtaining and co-		
4	ordinating local eye care ser-		
5	vices for those children iden-		
6	tified as needing said fol-		
7	low-up eye care services		
8	whether insured, uninsured or		
9	underinsured. Children identi-		
10	fied as uninsured or		
11	underinsured shall be provided		
12	with free eye exams and free		
13	prescription spectacles. A		
14	database including specific		
15	data by child, grade,		
16	school/system, and services		
17	for outcome-based measurement		
18	shall be maintained and ar-		
19	chived.		
20	Governor's Lo-		
21	cal School and		
22	School System		
23	Academic and		
24	Financial Im-		
25	provement Pro-		
26	gram (At-Risk)	16,222,501	
27	The above appropriation shall		
28	be expended for the operations		
29	and maintenance of at-risk		
30	programs to develop and imple-		
31	ment school improvement pro-		
32	grams' financial and/or aca-		
33	demic accountability per Sec-		
34	tion 16-6B-3, Code of Alabama		
35	1975, and for benefits for		
36	appropriate personnel within		
37	the Department of Education.		
38	At-risk funds shall be used to		
39	employ personnel under		
40	short-term contracts who shall		
41	be assigned by the State Su-		
42	perintendent of Education to		
43	give direct assistance to		
44	schools which come under the		
45	jurisdiction of the Department		
46	in accordance with Sections		
47	16-6B-1 through 16-6B-6, Code		

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

of Alabama 1975, which re-
 quires schools and/or school
 systems to be placed in inter-
 vention for academic and/or
 financial reasons by the State
 Superintendent. In selecting
 these personnel, the State
 Superintendent shall give
 preference to persons who have
 achieved National Board for
 Professional Teaching Stan-
 dards (NBPTS) certification
 and/or who have been chosen as
 Alabama Teachers of the Year.
 In the event this pool of per-
 sonnel is inadequate, the
 State Superintendent may then
 employ other teaching and/or
 administrative personnel who
 have been recognized for their
 competence. Such personnel
 shall be assigned to work di-
 rectly with schools whose op-
 erations are being assisted by
 the state. The State Superin-
 tendent may further use these
 personnel to assist schools
 that are on Priority status as
 well as use these funds in
 partnership with and funding
 from the Department of Educa-
 tion to improve the learning
 opportunities for at-risk stu-
 dents. These programs shall
 include, but not be limited
 to, after school programs,
 character education programs,
 drop-out prevention programs,
 summer programs, career tech-
 nical youth programs, programs
 to improve reading, and/or
 math, and/or science skills to
 increase grade-to-grade promo-
 tion, high school graduation
 and college preparedness, and
 other activities designed to
 assist at-risk students. Per-

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	sonnel employed or contracted		
2	by the Department for assis-		
3	tance in at-risk schools shall		
4	be on release status from		
5	their respective local boards		
6	of education and shall retain		
7	all benefits and tenure status		
8	unless they are given perma-		
9	nent employment in the State		
10	Department of Education. Funds		
11	may be allocated to entities		
12	that have and/or can effect		
13	positive results in improved		
14	student achievement.		
15	School Account-		
16	ability Report		
17	Card	124,264	
18	For distribution of the School		
19	Accountability Report Card		
20	referred to in Section 16-6B-7		
21	of the Code of Alabama 1975 to		
22	every parent with a child in		
23	Alabama public schools.		
24	English as a		
25	Second Language		
26	Students Pro-		
27	gram	2,360,800	
28	Based on the 2009-10 school		
29	system count supplied to the		
30	Alabama Department of Educa-		
31	tion by each local superinten-		
32	dent of education, herein is		
33	appropriated on a per student		
34	basis to be utilized by local		
35	school boards to provide as-		
36	sistance to students not uti-		
37	lizing English as their native		
38	language so they may become		
39	proficient in reading, writ-		
40	ing, and speaking English at		
41	the earliest possible time.		
42	Tenure Arbitra-		
43	tion Costs ...	726,661	
44	Of the above appropriation for		
45	Tenure Arbitration Costs,		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	\$129,500 shall be transferred			
2	to fund the Office of the At-			
3	torney General for performance			
4	of arbitration services, in-			
5	cluding administration of the			
6	State's tenure laws (Code of			
7	Alabama 1975, Section			
8	36-26-115) by the Office of			
9	Administrative Hearings, Divi-			
10	sion of Administrative Law			
11	Judges.			
12	Teacher Re-			
13	cruitment In-			
14	centives	9,250		
15	Distance Learn-			
16	ing	19,078,600		
17	Job descriptions shall be de-			
18	veloped by the State Depart-			
19	ment of Education for posi-			
20	tions funded by this appropri-			
21	ation. Hiring of personnel			
22	shall be monitored by the			
23	State Department of Education			
24	for compliance with these job			
25	descriptions. In addition,			
26	these funds shall be used ex-			
27	clusively to meet the distance			
28	learning initiative ACCESS			
29	(Alabama Connecting Class-			
30	rooms, Educators, and Students			
31	Statewide).			
32	Advanced Place-			
33	ment	1,310,494		
34	Dropout Preven-			
35	tion Pilot ...	500,756		
36	(b) Financial Assistance Pro-			
37	gram	38,676,824	1,095,360,825	1,134,037,649
38	The proposed spending plan for			
39	the ETF monies included in the			
40	above program is as follows:			
41	Home Instruc-			
42	tion for Par-			
43	ents of Pre-			
44	school Young-	1,405,909		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	sters (HIPPY)		
2	Program		
3	Southwest		
4	School for Deaf		
5	and Blind	269,921	
6	Play By The		
7	Rules	19,147	
8	PALS Program .	19,055	
9	Council on Eco-		
10	nomie Education		
11	.....	18,962	
12	P.A.C.E.R.S.		
13	Program	125,313	
14	Pre-School Pro-		
15	gram (Special		
16	Education) ...	1,787,034	
17	Positive Behav-		
18	ior Support		
19	Coaches	150,000	
20	National Board		
21	for Profes-		
22	sional Teaching		
23	Standards	8,038,250	
24	The above appropriation in-		
25	cludes funds to pay assessment		
26	fees for teachers desiring to		
27	take the examination, funds to		
28	provide a \$5,000 supplement in		
29	addition to base salary as		
30	determined by the Minimum Sal-		
31	ary Schedule for all		
32	board-certified teachers. Ala-		
33	bama teachers shall apply for		
34	funding of the assessment fees		
35	and recipients are required to		
36	commit to teach in Alabama		
37	public schools for an addi-		
38	tional period of five years		
39	unless an exception is granted		
40	for just cause. Of the funds		
41	provided herein, an amount not		
42	to exceed \$45,000 shall be		
43	used to pay for release time		

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

of personnel used by the State Department of Education to mentor prospective candidates for the NBPTS certification and to assist in determining which candidates shall receive state funding to take the examination. Salary must be provided before said amount can be used by the State Department of Education for personnel release time.

Children's Hospital 114,006

Career Tech Initiative ... 2,260,074

~~The above appropriation shall~~
Not less than 50% of the above
appropriation shall be used
for Agriscience purposes. Such
funds shall first be expended
 to pay stipends, salaries,
 travel, and benefits of
 Agriscience teachers currently
 on 220 day or less contracts
 to work during the months not
 on contract. Remaining funds
 shall be expended to pay
 travel expenses of Agriscience
 teachers to State Department
 of Education and FFA sanc-
 tioned activities. This shall
 include Agriscience teachers
 on 240 day contracts or less.
 Furthermore, remaining funds
 shall be expended on FFA Stu-
 dent Leadership Development to
 include conferences, speakers,
 and travel of state FFA offi-
 cers. Furthermore, remaining
 funds shall be expended on
 travel expenses for SDE
 Agriscience staff for Student
 Leadership Development ~~activi-~~
~~ties. Any remaining funds~~
~~shall be spent at the activi-~~

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	<u>ties. The remaining 50% of the</u>		
2	<u>above appropriation shall be</u>		
3	<u>spent at the discretion of the</u>		
4	State Superintendent of Educa-		
5	tion for other career tech		
6	programs.		
7	Teacher		
8	In-Service Cen-		
9	ters	2,775,000	
10	The State Board of Education,		
11	through the State Superinten-		
12	dent of Education, shall ad-		
13	minister the in-service cen-		
14	ters and shall monitor the		
15	centers for compliance with		
16	established accountability		
17	standards. The above appropri-		
18	ation to the In-Service Cen-		
19	ters shall be distributed to		
20	the existing eleven Teacher		
21	In-Service Centers in each		
22	geographical area of the state		
23	as follows:		
24	University of		
25	Alabama		
26	.....	218,678	
27	University of		
28	Alabama at Bir-		
29	mingham		
30	.....	302,690	
31	Alabama A and M		
32	University		
33	.....	275,872	
34	Alabama State		
35	University		
36	.....	237,742	
37	Athens State		
38	University		
39	230,460	

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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1	Auburn Univer-	
2	sity	
3 239,879	
4	Jacksonville	
5	State Univer-	
6	sity	
7 234,907	
8	University of	
9	Montevallo	
10	..... 246,875	
11	Troy University	
12	..... 249,529	
13	University of	
14	North Alabama	
15	..... 213,742	
16	University of	
17	South Alabama	
18	..... 324,626	
19	Teacher Profes-	
20	sional Develop-	
21	ment Training	1,068,972
22	This appropriation shall be	
23	used to train teachers (K-12)	
24	in the use of computers in the	
25	classroom. Trainers shall be	
26	chosen who can assist teachers	
27	in learning computer skills,	
28	the use of instructional soft-	
29	ware, and the classroom uses	
30	of the Internet.	
31	Governor's High	
32	Hopes for Ala-	15,755,543
33	bama Students	<u>15,555,543</u>
34	<u>Of the above appropriation,</u>	
35	<u>\$950,000 shall be expended to</u>	
36	<u>link the Alabama Student In-</u>	
37	<u>formation Management Systems</u>	

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal

1	(ASIMS) to students' home com-		
2	puters.		
3	Jobs for Ala-		
4	bama's Gradu-		
5	ates (JAG) ...	878,979	
6	Virtual Library		
7	Project	3,116,110	
8	The State Department shall		
9	serve as the fiscal agent for		
10	the Virtual Library Project.		
11	Teacher		
12	Mentoring Pro-		
13	gram	444,549	
14	Teach For Amer-		
15	ica	630,000	
16	(c) Alabama Science In Motion		
17	Program	1,743,801	1,743,801
18	All funds appropriated to this		
19	program shall be expended in		
20	accordance with Title 16,		
21	Chapters 61B and 61C, Code of		
22	Alabama 1975. Additionally,		
23	any funds unexpended and car-		
24	ried over from the prior fis-		
25	cal year are hereby		
26	reappropriated.		
27	(d) Disability Determination		
28	for Social Security Program	86,521,431	86,521,431
29	SOURCE OF FUNDS:		
30	(1) ETF	209,259,404	
31	(2) ETF-Transfer	1,743,801	
32	(3) Driver Education and		
33	Training Fund	4,530,898	
34	(4) Federal Stimulus Funds,		
35	estimated	203,642,885	
36	(5) Federal and Local Funds .	1,060,925,580	
37	(6) Special Education Cata-		
38	strophic Fund	2,500,000	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Total Education, State Depart-			
2 ment of	211,003,205	1,271,599,363	1,482,602,568
3 12. Educational Television Com-			
4 mission:			
5 (a) Capital Outlay Program ..	555,000		555,000
6 This appropriation is to be			
7 used to replace the Alabama			
8 Public Television's Digital			
9 Statewide Microwave System and			
10 create a Public Safety Radio			
11 Communications Statewide Net-			
12 work.			
13 (b) Educational Television			
14 Program	6,902,978	660,873	7,563,851
15 SOURCE OF FUNDS:			
16 (1) ETF	7,457,978		
17 (2) Federal and Local Funds .		660,873	
18 Total Educational Television			
19 Commission	7,457,978	660,873	8,118,851
20 13. Executive Commission on Com-			
21 munity Services Grants, State:			
22 (a) Community Services Grants			
23 Program	8,437,286		8,437,286
24 Distributed pursuant to Sec-			
25 tion 29-2-123 of the Code of			
26 Alabama 1975, as amended.			
27 SOURCE OF FUNDS:			
28 (1) ETF	8,437,286		
29 The above appropriation shall			
30 be used for grants that pro-			
31 mote public education pur-			
32 poses.			
33 Total Executive Commission on			
34 Community Services Grants,			
35 State	8,437,286		8,437,286
36 14. Family Practice Rural Health			
37 Board:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(a) Family Practice Rural			
2	Health Program	1,625,778		1,625,778
3				
4	SOURCE OF FUNDS:			
5	(1) ETF	1,625,778		
6	Total Family Practice Rural			
7	Health Board	1,625,778		1,625,778
8	Of the above appropriation, at			
9	least \$104,175 shall be ex-			
10	pended for the Auburn Rural			
11	Health Program; a minimum of			
12	\$84,175 shall be expended for			
13	the Tuskegee Area Health Edu-			
14	cation Center (TAHEC);			
15	\$454,545 shall be expended for			
16	the Rural Medical Scholars			
17	Program at the University of			
18	Alabama at Tuscaloosa; and			
19	\$94,175 shall be expended for			
20	the Rural Health Program at			
21	the University of Alabama in			
22	Huntsville.			
23	15. Finance, Department of:			
24	(a) Employee Benefits Program	1,400,000		1,400,000
25	SOURCE OF FUNDS:			
26	(1) ETF, Estimated	1,400,000		
27	Total Finance, Department of	1,400,000		1,400,000
28	To be distributed by the State			
29	Comptroller to the designated			
30	beneficiaries or estates for			
31	unused sick leave pursuant to			
32	Code of Alabama 1975, Section			
33	16-1-18.2.			
34	16. Finance, Department of -			
35	Telephone Revolving Fund:			
36	(a) Information Systems Pro-			
37	gram	1,143,902		1,143,902

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

(1) ETF-Transfer	1,143,902	
Total Finance, Department of - Telephone Revolving Fund	1,143,902	1,143,902

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

17. Fine Arts, Alabama School of:

(a) Financial Assistance Program	6,414,414	655,000	7,069,414
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SOURCE OF FUNDS:

(1) ETF	6,414,414		
(2) Federal and Local Funds .		655,000	
Total Fine Arts, Alabama School of	6,414,414	655,000	7,069,414

18. Fire Fighters' Personnel Standards and Education Commission, Alabama/Fire College Shelton State Community College:

(a) Operations and Maintenance	3,846,458	1,707,152	5,553,610
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Of the above appropriation, \$163,417 to operate the Risk Watch Program.

SOURCE OF FUNDS:

(1) ETF	3,846,458		
(2) Federal and Local Funds .		1,707,152	
Total Fire Fighters' Personnel Standards and Education Commission, Alabama/Fire College	3,846,458	1,707,152	5,553,610

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Shelton State Community Col- 2 lege			
3			
4 19. Governor's Office of Faith 5 Based and Community Initia- 6 tives:			
7 (a) Executive Direction Pro- 8 gram	132,198		132,198
9 SOURCE OF FUNDS:			
10 (1) ETF	132,198		
11 Total Governor's Office of 12 Faith Based and Community Ini- 13 tiatives	132,198		132,198
14 20. Higher Education, Alabama 15 Commission on:			
16 (a) Planning and Coordination 17 Services Program	2,964,783		2,964,783
18 The proposed spending plan for 19 the ETF monies included in the 20 above program is as follows:			
21 Operations and 22 Maintenance .. 2,964,783			
23 (b) Student Financial Aid Pro- 24 gram	6,063,759	2,953,380	9,017,139
25 (1) Policeman's 26 Survivor Tui- 27 tion, Estimated 28	159,320		
29 To be expended under the pro- 30 visions of Code of Alabama 31 1975, Section 36-21-105.			
32 (2) Alabama Na- 33 tional Guard 34 Educational As- 35 sistance Schol- 36 arships	601,694		
37 To be expended in accordance 38 with Code of Alabama 1975, 39 Sections 31-10-1 through			

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	31-10-4 and Sections 31-10-20	
2	through 31-10-25.	
3	(3) Alabama	
4	Student Assis-	
5	tance Program	2,896,855
6	In addition to the ETF appro-	
7	priation for the Alabama Stu-	
8	dent Assistance Program, any	
9	available funds as a result of	
10	the court ordered transfers	
11	from Knight vs. Alabama diver-	
12	sity scholarships are hereby	
13	appropriated and any carryover	
14	funds from these transfers are	
15	hereby reappropriated.	
16	(4) Educational	
17	Grants Program	
18	(Alabama Stu-	
19	dent Grant Pro-	
20	gram)	2,320,975
21	To be expended in accordance	
22	with Code of Alabama 1975,	
23	Sections 16-33A-1 through	
24	16-33A-11. Private institu-	
25	tions receiving state grant	
26	funds under this provision	
27	make their best effort to use	
28	the equivalent of ten percent	
29	of Federal Work Study alloca-	
30	tions for the purpose of tu-	
31	toring and mentoring students	
32	in grades K-12 to better pre-	
33	pare them for graduation, col-	
34	lege entry and retention. In-	
35	stitutions shall work with	
36	their respective governing	
37	boards to develop and imple-	
38	ment this effort.	
39	(5)	
40	Chiropractic	
41	Scholarships .	29,415
42	To be expended in accordance	
43	with Code of Alabama 1975,	
44	Section 16-5-11.	
45	(6) Washington	55,500

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Center Intern-			
2	ship Program .			
3	It is the intent of the Legis-			
4	lature that the above funds			
5	for the Washington Center In-			
6	ternship Program be expended			
7	for Alabama residents.			
8	(c) Support of Other Educa-			
9	tional Activities Program .	2,706,442	1,671,000	4,377,442
10	The proposed spending plan for			
11	the ETF monies included in the			
12	above program is as follows:			
13	(1) Network of			
14	Alabama Aca-			
15	demic Libraries			
16	.....	323,505		
17	ACHE shall provide for the			
18	participation of Athens State			
19	University in the Network of			
20	Alabama Academic Libraries.			
21	(2) Southern			
22	Regional Educa-			
23	tion Board			
24	(SREB)	671,124		
25	(3) EPSCoR (Re-			
26	search) Program			
27	.....	1,227,543		
28	(4) Computer			
29	Based Articula-			
30	tion System ..	402,563		
31	To fund Troy University for			
32	developing and operating a			
33	statewide computer-based ar-			
34	ticulation system to serve all			
35	four-year and two-year			
36	postsecondary institutions in			
37	the State of Alabama.			
38	(5) School and			
39	University			
40	Partnership for			
41	Education Re-			
42	newal Program			
43	(SUPER)	81,707		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (d) Support of State Universi-			
2 ties Program	6,181,869	75,000	6,256,869
3 The proposed spending plan for			
4 the ETF monies included in the			
5 above program is as follows:			
6 (1) Alabama Ag-			
7 ricultural Land			
8 Grant Alliance 6,181,869			
9 Of the above appropriation to			
10 AALGA, at least \$4,450,000			
11 shall be equally distributed			
12 as a state match for federal			
13 funds for those institutions			
14 in the Alliance required to			
15 provide matching funds in or-			
16 der to obtain federal funds			
17 for the first time in fiscal			
18 year 2000. Of the above appro-			
19 priation, \$336,700 shall be			
20 allocated for the fruit and			
21 vegetable marketing initia-			
22 tive; \$185,000 shall be allo-			
23 cated for the Youth Partner-			
24 ship Research Program; and			
25 \$556,210 shall be allocated			
26 for the McIntire-Stennis For-			
27 estry Research Initiative			
28 Matching Program.			
29 SOURCE OF FUNDS:			
30 (1) ETF	17,916,853		
31 (2) Federal and Local Funds .		4,699,380	
32 Total Higher Education, Ala-			
33 bama Commission on	17,916,853	4,699,380	22,616,233
34 In addition to the above ap-			
35 propriations, any scholarship			
36 funds transferred from the			
37 State Department of Education			
38 for the Alabama Teacher Re-			
39 cruitment Incentive Program			
40 (ATRIP) shall not revert and			
41 are hereby appropriated or			
42 reappropriated.			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 21. Human Resources, Department			
2 of:			
3 (a) Human Services Program -			
4 Jobs Opportunities and Basic			
5 Skills Training (JOBS) Pro-			
6 gram	3,828,576		3,828,576
7 (b) Human Services Program -			
8 Jobs Child Care and After			
9 School Child Care Program .	9,124,390		9,124,390
10 Of the above appropriation,			
11 \$142,987 shall be expended for			
12 the Black Belt Eye Care Con-			
13 sortium and \$909,573 shall be			
14 distributed to the Greater			
15 Alabama Child Development Pro-			
16 gram for rural day care.			
17 SOURCE OF FUNDS:			
18 (1) ETF-Transfer	12,952,966		
19 Total Human Resources, Depart-			
20 ment of	12,952,966		12,952,966
21 <u>Notwithstanding any other pro-</u>			
22 <u>vision of this act to the con-</u>			
23 <u>trary, the maximum amount of</u>			
24 <u>funds from the sales tax ex-</u>			
25 <u>emption for the issuance of</u>			
26 <u>food stamps that may be re-</u>			
27 <u>verted by the Department of</u>			
28 <u>Human Resources to the Educa-</u>			
29 <u>tion Trust Fund shall be</u>			
30 <u>\$18,600,000 for the fiscal</u>			
31 <u>year ending September 30,</u>			
32 <u>2011. Any such funds over this</u>			
33 <u>amount not utilized in the</u>			
34 <u>Food Stamp Program shall be</u>			
35 <u>expended for subsidized child</u>			
36 <u>care slots and are hereby ap-</u>			
37 <u>propriated for such purpose.</u>			
38 22. Industrial Development Train-			
39 ing Institute, Alabama:			
40 (a) Industrial Development and			
41 Training Program	5,731,046		5,731,046

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (b) Industrial Training Pro-			
2 gram - Operations and Main-			
3 tenance	4,832,246		4,832,246
4 (c) Workforce Development ...	23,752,304		23,752,304
5 SOURCE OF FUNDS:			
6 (1) ETF	34,315,596		
7 Total Industrial Development			
8 Training Institute, Alabama .	34,315,596		34,315,596
9 The funds appropriated for			
10 Workforce Development are to			
11 be expended for those costs			
12 incurred by the State in hon-			
13 oring commitments to pay			
14 Workforce Development costs,			
15 including services and other			
16 assistance and expenses of			
17 recruitment and training of a			
18 company's workforce, that are			
19 undertaken to induce companies			
20 to locate or expand their op-			
21 erations in Alabama (described			
22 hereinafter as a "Project")			
23 and to develop and implement			
24 training, placement and re-			
25 cruitment programs that will			
26 improve, develop and expand			
27 the State's workforce. Such			
28 costs include, but are not			
29 limited to (i) AIDT operating			
30 costs directly related to a			
31 Project; (ii) wages and bene-			
32 fits for trainers engaged by			
33 AIDT for the purpose of a Pro-			
34 ject; (iii) costs which the			
35 State has agreed to pay under			
36 the terms of a Project Agree-			
37 ment with a company that are			
38 necessary and reasonable			
39 charges incurred by the com-			
40 pany or its affiliates for			
41 personnel providing training			
42 to the company's employees,			
43 whether those trainers are			
44 employees of the company or			

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

its vendors or suppliers, including wages, benefits and travel (domestic and, when necessary, international); (iv) any necessary materials, equipment, manuals, or other relevant training materials; (v) the costs incurred for purchasing or repairing or replacing training tools and equipment; (vi) costs incurred for the purchase or construction and maintenance of training facilities; (vii) travel expenses for prospective and current employees and trainees, including travel, food, lodging, relocation, and other costs necessary and reasonable to enable the company to secure a qualified workforce; (viii) outside training fees; and (ix) the construction and equipping of career centers to assist citizens of the State in outreach, job search, assessments of individuals, placement assistance, labor market information, individual employment plans and counseling, career planning, occupational and vocational training, and specific skills training. The above funds appropriated for workforce development shall be expended primarily for the training of Alabama residents. It is further the intent that contracts with vendors to provide workforce training shall be inclusive and reflect the racial and gender diversity of the state. The Office of Workforce Development shall report quarterly to the Chairs of the Senate Committee on

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Finance and Taxation - Educa-			
2 tion and the House Committee			
3 on Education Appropriation and			
4 the Legislative Fiscal Officer			
5 on any funds allocated for			
6 workforce training. Such re-			
7 port shall include a summary			
8 of the persons trained and the			
9 vendors providing the train-			
10 ing. The reports shall contain			
11 information including resi-			
12 dence, race and gender of the			
13 persons trained and of the			
14 principal or majority owner of			
15 the firm or business con-			
16 tracted with to provide the			
17 training services.			
18 23. Library Service, Alabama Pub-			
19 lic:			
20 (a) Public Library Service			
21 Program	7,097,639	1,709,984	8,807,623
22 Of the above appropriation, a			
23 minimum of \$4,159,397 is to be			
24 distributed to public librar-			
25 ies within the state and			
26 \$263,622 shall be expended for			
27 Homework Alabama.			
28 (b) Special Grant Program ...	362,518		362,518
29 SOURCE OF FUNDS:			
30 (1) ETF	7,460,157		
31 (2) Federal and Local Funds .		1,709,984	
32 Total Library Service, Alabama			
33 Public	7,460,157	1,709,984	9,170,141
34 24. Marine Environmental Sciences			
35 Consortium/Dauphin Island Sea			
36 Lab:			
37 (a) Support of Other Educa-			
38 tional Activities Program .	3,576,766	9,045,797	12,622,563
39 Of the above appropriation,			
40 \$81,709 shall be expended for			
41 the Mobile Bay National Estu-			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	ary Program and \$81,709 shall		
2	be expended for the Missis-		
3	sippi-Alabama Sea Grant Con-		
4	sortium.		
5	SOURCE OF FUNDS:		
6	(1) ETF	3,576,766	
7	(2) Federal and Local Funds .	9,045,797	
8	Total Marine Environmental		
9	Sciences Consortium/Dauphin		
10	Island Sea Lab	3,576,766	9,045,797
			12,622,563
11	25. Mathematics and Science, Ala-		
12	bama School of:		
13	(a) Financial Assistance Pro-		
14	gram	5,880,922	960,000
			6,840,922
15	SOURCE OF FUNDS:		
16	(1) ETF	5,880,922	
17	(2) Federal and Local Funds .	960,000	
18	Total Mathematics and Science,		
19	Alabama School of	5,880,922	960,000
			6,840,922
20	26. Medical Scholarship Awards,		
21	Board of:		
22	(a) Support of Other Educa-		
23	tional Activities Program .	1,062,926	400,000
24	To be expended under the pro-		1,462,926
25	visions of the Code of Alabama		
26	1975, Sections 16-47-121		
27	through 16-47-129.		
28	SOURCE OF FUNDS:		
29	(1) ETF	1,062,926	
30	(2) Federal and Local Funds .	400,000	
31	Total Medical Scholarship		
32	Awards, Board of	1,062,926	400,000
			1,462,926
33	27. Mental Health, Department of:		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
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(a) Institutional Treatment and Care of Mental Illness Program	4,038,707		4,038,707
(b) Substance Abuse Program .	995,641		995,641
(c) Special Services Program	1,199,355		1,199,355
(d) Institutional Treatment and Care of Intellectually Disabled Program	21,341,692		21,341,692

Of the above appropriation to the Department of Mental Health for the Institutional Treatment and Care of Intellectually Disabled Program, the sum of \$4,285,989 shall be used to fund ARC-type community-based programs, including the Montgomery Institute for Neurological Development for the intellectually disabled in Alabama; the sum of \$437,835 shall be allocated to Camp ASCCA; and \$350,000 shall be transferred to the Eagles' Wings Program.

SOURCE OF FUNDS:

(1) ETF-Transfer	27,575,395		
Total Mental Health, Department of	27,575,395		27,575,395

28. Nursing, Alabama Board of:

(a) Professional and Occupational Licensing and Regulation Program	237,725		237,725
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The above appropriation shall be expended pursuant to the provisions of the Code of Alabama 1975, Sections 34-21-60 through 34-21-63. Notwithstanding the limiting provisions of the Code of Alabama

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 1975, Sections 34-21-60			
2 through 34-21-63, \$200,000 of			
3 the above appropriation shall			
4 be expended exclusively for			
5 scholarships for advanced de-			
6 grees to train instructors to			
7 teach nursing classes in Ala-			
8 bama colleges and universi-			
9 ties.			
10 SOURCE OF FUNDS:			
11 (1) ETF	237,725		
12 Total Nursing, Alabama Board			
13 of	237,725		237,725
14 29. Optometric Scholarship			
15 Awards, Board of:			
16 (a) Support of Other Educa-			
17 tional Activities Program .	153,610		153,610
18 To be expended under the pro-			
19 visions of the Code of Alabama			
20 1975, Sections 34-22-60			
21 through 34-22-65.			
22 SOURCE OF FUNDS:			
23 (1) ETF	153,610		
24 Total Optometric Scholarship			
25 Awards, Board of	153,610		153,610
26 30. Peace Officers' Standards and			
27 Training Commission, Alabama:			
28 (a) Professional and Occupa-			
29 tional Licensing and Regula-			
30 tion Program	279,016	4,500,000	4,779,016
31 (b) Certified Law Enforcement			
32 Academy Program	382,813	450,000	832,813
33 Of the above appropriation for			
34 the Certified Law Enforcement			
35 Academy Program, \$382,813 of			
36 ETF monies included therein			
37 shall be expended as follows:			
38 Northeast Po-			
39 lice Academy .	99,531		

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	Alabama Peace			
2	Officers' Stan-			
3	dards and			
4	Training Com-			
5	mission Law En-			
6	forcement Acad-			
7	emy at			
8	Tuscaloosa ...	99,531		
9	Alabama Peace			
10	Officers' Stan-			
11	dards and			
12	Training Com-			
13	mission Law En-			
14	forcement Acad-			
15	emy - Baldwin			
16	County	99,531		
17	Alabama Police			
18	Academy	53,595		
19	Montgomery Po-			
20	lice Academy .	30,625		
21	SOURCE OF FUNDS:			
22	(1) ETF	661,829		
23	(2) Alabama Peace Officers'			
24	Standards and Training			
25	Fund-as provided in the Code			
26	of Alabama 1975, Sections			
27	36-21-40 through 36-21-51 .		4,950,000	
28	Total Peace Officers' Stan-			
29	dards and Training Commission,			
30	Alabama	661,829	4,950,000	5,611,829
31	31. Penny Trust Fund - Buskey			
32	Matching Funds:			
33	(a) Special Services Program,			
34	Estimated	352,267		352,267
35	SOURCE OF FUNDS:			
36	(1) ETF-Transfer	352,267		
37	Total Penny Trust Fund -			
38	Buskey Matching Funds	352,267		352,267
39	In accordance with Sections			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
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41-15A-10 through 41-15A-12,
Code of Alabama 1975.

**32. Physical Fitness, State Com-
mission on:**

(a) Advisory Services Program	1,065,138	18,846	1,083,984
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SOURCE OF FUNDS:

(1) ETF	1,065,138		
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(2) Federal and Local Funds .		18,846	
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Total Physical Fitness, State Commission on	1,065,138	18,846	1,083,984
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33. Public Health, Department of:

(a) Administration Services Program	911,763		911,763
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(b) Continuing Education for EMT Personnel	1,470,731		1,470,731
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With the above appropriation,
the Department shall offer
performance-based awards to
regional EMS agencies for the
purpose of providing continu-
ing education to EMTs and
strengthening the EMS infra-
structure.

(c) Public Health Services Program	12,156,839		12,156,839
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Of the above appropriation,
\$11,813,665 shall be expended
for the continuation of the
programs in Public School San-
itation, licensure and certifi-
cation, immunization activi-
ties at the county level, pa-
tient education and child
health, immunization of
pre-school children and stu-
dents, dental health, tubercu-
losis and nursing services,
life skills educational train-
ing in schools, vaccines to
non-VFC-eligible children, and

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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other public health purposes.
Of the above appropriation,
\$220,612 shall be expended for
AIDS Alabama and \$122,562
shall be expended for the Ala-
bama Kidney Foundation.

SOURCE OF FUNDS:

(1) ETF	14,539,333	
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Total Public Health, Depart- ment of	14,539,333	14,539,333
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**34. Rehabilitation Services, De-
partment of:**

(a) Direct Client Services for the Handicapped Program ...	34,575,071	34,575,071
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The proposed spending plan for
the ETF monies included in the
above program is as follows:

Homebound	5,010,303	
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Hemophilia ...	1,275,417	
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Children's Re- habilitation Services	10,785,733	
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Of the above appropriation the
agency will pay to each hospi-
tal the standard per diem paid
by the state Medicaid Agency
for services relating to
scoliosis and spina bifida
medical care.

Education of Dependents of Blind Parents	10,635	
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The above appropriation shall
be allocated for reimbursement
to every state institution of
higher learning, college, uni-
versity, community college, or
junior college, in which bene-
fits are given to dependents

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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of blind parents under the provisions of Code of Alabama 1975, Sections 16-33-1 through 16-33-12.

Rehabilitation Services 10,374,054

Of the above appropriation, \$92,500 shall be expended for Teaching Children With Disabilities

Early Intervention Program . 5,830,888

Respite Related Services and Training 74,854

Rehabilitation Projects 1,213,187

SOURCE OF FUNDS:

(1) ETF 34,575,071

Total Rehabilitation Services, Department of	34,575,071	34,575,071
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The above appropriation to the Department of Rehabilitation Services - Rehabilitation Projects may be used to contract with providers of cerebral palsy services.

35. Sickle Cell Oversight and Regulatory Commission, Alabama:

(a) Support of Other Educational Activities Program .	1,345,125	1,345,125
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Of the above appropriation to the Alabama Sickle Cell and Regulatory Commission, the sum of \$28,597 shall be used to fund travel and other expenses of the Alabama Sickle Cell Oversight and Regulatory Commission and \$1,316,528 shall be used to fund university and

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 community-based Sickle Cell			
2 programs which were funded			
3 from the ETF budget in FY			
4 2000. These funds shall be			
5 distributed proportionately to			
6 the distribution made in FY			
7 2003.			
8 SOURCE OF FUNDS:			
9 (1) ETF	1,345,125		
10 Total Sickle Cell Oversight			
11 and Regulatory Commission,			
12 Alabama	1,345,125		1,345,125
13 36. Space Science Exhibit Commis-			
14 sion, Alabama:			
15 (a) Special Services Program	531,097	36,243,000	36,774,097
16 SOURCE OF FUNDS:			
17 (1) ETF	531,097		
18 (2) Federal and Local Funds .		36,243,000	
19 Total Space Science Exhibit			
20 Commission, Alabama	531,097	36,243,000	36,774,097
21 37. Supercomputer Authority, Ala-			
22 bama:			
23 (a) Information Technology			
24 Services Program	5,244,347	2,366,740	7,611,087
25 The above appropriation is to			
26 be expended in accordance with			
27 Sections 41-10-390 through			
28 41-10-406, Code of Alabama			
29 1975.			
30 SOURCE OF FUNDS:			
31 (1) ETF-Transfer	5,244,347		
32 (2) Supercomputer Revolving			
33 Fund, Estimated		2,366,740	
34 Total Supercomputer Authority,			
35 Alabama	5,244,347	2,366,740	7,611,087

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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**38. Veterans' Affairs, Department
of:**

(a) Administration of Veterans' Affairs Program	2,740,194	2,740,194
(b) Student Financial Aid Program, Estimated	17,205,339	17,205,339

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

SOURCE OF FUNDS:

(1) ETF	19,945,533	
Total Veterans' Affairs, Department of	19,945,533	19,945,533

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

(a) Financial Assistance Program (School District)	7,087,235	7,087,235
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The above appropriation shall be expended by the Youth Services Department District in a manner consistent with the funding formula cooperatively established by the Youth Services Board and the State Board of Education pursuant to the provisions of the Code of Alabama 1975, Sections 44-1-70 through 44-1-77.

(b) Youth Services Program ..	49,915,142	49,915,142
(c) Special Programming for Achievement Network (SPAN)	4,827,979	4,827,979

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Program		
2	SOURCE OF FUNDS:		
3	(1) ETF	61,830,356	
4	Total Youth Services, Depart-		
5	ment of	61,830,356	61,830,356
6	3C. Colleges and Universities:		
7	1. Alabama Agricultural and		
8	Mechanical University, Board		
9	of Trustees:		
10	(a) Operations and Maintenance		
11	and Program Support	31,541,539	63,905,086
12	Of the above appropriation,		95,446,625
13	\$40,854 shall be expended for		
14	the Black Archives Museum.		
15	(b) Extension-Urban Affairs		
16	and Non-Traditional Land		
17	Grant Programs	4,067,170	4,067,170
18	Pursuant to Knight v. Alabama		
19	Final Settlement Agreement.		
20	(c) Agricultural Research Sta-		
21	tion Fixed Costs	301,219	301,219
22	Pursuant to Knight v. Alabama		
23	Final Settlement Agreement.		
24	(d) Auxiliary Enterprises ...	12,755,366	12,755,366
25	(e) Restricted Funds	39,815,989	39,815,989
26	(f) Agricultural Research and		
27	Extension-State Match	1,226,904	1,226,904
28	SOURCE OF FUNDS:		
29	(1) ETF	37,136,832	
30	(2) Federal Stimulus Funds,		
31	estimated	3,360,117	
32	(3) Federal and Other Funds .	113,116,324	
33	Total Alabama Agricultural and		
34	Mechanical University, Board		
35	of Trustees	37,136,832	116,476,441
			153,613,273

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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Of the above appropriation from Federal Stimulus Funds, estimated, \$333,226 shall be earmarked for the Extension-Urban Affairs and Non-Traditional Land Grant Programs.

**2. Alabama A and M University,
Board of Trustees-Miles Col-
lege Consortium:**

(a) Alabama A and M Univer-
sity-Miles College Consor-
tium

370,339	370,339
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SOURCE OF FUNDS:

(1) ETF

370,339

Total Alabama A and M Univer-
sity, Board of Trustees-Miles
College Consortium

370,339	370,339
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**3. Alabama State University,
Board of Trustees:**

(a) Operations and Maintenance
and Program Support

43,568,347	66,868,202	110,436,549
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The above appropriation for Operations and Maintenance includes funds for Health Information Management, Occupational Therapy, Physical Therapy Programs, Title VI Program Enhancement, EdD in Educational Leadership, Policy and Law, and Desegregation Planning pursuant to the Knight vs Alabama Final Settlement Agreement. Of the above appropriation, \$1,156,250 shall be expended for Cooperative Efforts to Enhance Community Educational Institutions; \$601,044 shall be expended for the Minority Technology Network and Center for Public Policy; and \$340,917 shall be

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	expended for building renova-			
2	tions.			
3	(b) Auxiliary Enterprises ...		8,312,811	8,312,811
4	(c) Restricted Funds		45,413,185	45,413,185
5	SOURCE OF FUNDS:			
6	(1) ETF	43,568,347		
7	(2) Federal Stimulus Funds,			
8	estimated		3,259,874	
9	(3) Federal and Other Funds .		117,334,324	
10	Total Alabama State Univer-			
11	sity, Board of Trustees	43,568,347	120,594,198	164,162,545
12	4. Alabama, University of,			
13	Board of Trustees:			
14	(a) Operations and Maintenance			
15	and Program Support for the			
16	University of Alabama at			
17	Tuscaloosa	141,677,521	325,049,134	466,726,655
18	The President of the Univer-			
19	sity of Alabama shall imple-			
20	ment a Workforce Development			
21	plan utilizing the existing			
22	Minority Technology Network.			
23	Of the above appropriation to			
24	the University of Alabama at			
25	Tuscaloosa, \$238,417 shall be			
26	expended for the Special Out-			
27	reach Program; and \$204,271			
28	shall be expended for the Ala-			
29	bama Center for Civic Life			
30	(the David Mathews Center).			
31	(b) Operations and Maintenance			
32	and Program Support for the			
33	University of Alabama at			
34	Birmingham	254,204,273	1,498,641,116	1,752,845,389
35	Of the above appropriation			
36	\$250,000 shall be transferred			
37	to Children's Hospital for the			
38	Diabetes Research Program;			
39	\$408,543 shall be expended for			
40	the Minority Business Train-			
41	ing-Economic Development Pro-			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 gram; \$122,563 shall be ex-			
2 pended for the Gregory Fleming			
3 James Cystic Fibrosis Program;			
4 \$142,990 shall be expended for			
5 the High School Athletic			
6 Training Program; and \$142,677			
7 shall be expended for the			
8 Helen Keller Foundation.			
9 (c) Operations and Maintenance			
10 and Program Support for the			
11 University of Alabama in			
12 Huntsville	44,024,506	67,826,644	111,851,150
13 Of the above appropriation			
14 \$1,850,000 shall be expended			
15 for curriculum development,			
16 research support, and special-			
17 ized equipment for Robotics			
18 and Controls Research and Edu-			
19 cation; and \$92,500 shall be			
20 expended for the Climatology			
21 Program.			
22 (d) Special Mental Health and			
23 Chauncey Sparks Center for			
24 Developmental and Learning			
25 Disorders, University of			
26 Alabama at Birmingham	3,512,347		3,512,347
27 (e) School of Optometry			
28 Fund-Transfer to University			
29 of Alabama at Birmingham			
30 School of Optometry, esti-			
31 mated		70,000	70,000
32 (f) Auxiliary Enterprises ...		141,050,622	141,050,622
33 (g) Restricted Funds		594,412,937	594,412,937
34 (h) University of Alabama at			
35 Birmingham Cancer Center ..	4,177,863		4,177,863
36 SOURCE OF FUNDS:			
37 (1) ETF	447,596,510		
38 (2) Federal Stimulus Funds,			
39 estimated		43,794,937	
40 (3) Federal and Other Funds		2,583,255,516	

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Total Alabama, University of,			
2	Board of Trustees	447,596,510	2,627,050,453	3,074,646,963
3	5. Auburn University, Board of			
4	Trustees:			
5	(a) Operations and Maintenance			
6	and Program Support, Auburn			
7	University	156,228,021	368,088,309	524,316,330
8	Of the above appropriation,			
9	\$110,304 shall be expended to			
10	provide economic research ser-			
11	vices to the State of Alabama,			
12	Department of Finance; \$67,281			
13	shall be expended for the			
14	Jules Collins Smith Art Mu-			
15	seum; \$46,854 shall be ex-			
16	pended for the Ralph Brown			
17	Draughon Library; <u>\$140,000</u>			
18	<u>shall be expended for training</u>			
19	<u>for the use of the Alabama</u>			
20	<u>Student Information Management</u>			
21	<u>System (ASIMS);</u> and \$92,500			
22	shall be expended for Special			
23	Outreach.			
24	(b) Auxiliary Enterprises ...		110,267,144	110,267,144
25	(c) Restricted Funds		114,293,029	114,293,029
26	(d) Operations and Maintenance			
27	and Program Support, Alabama			
28	Agricultural Experiment Sta-			
29	tion	30,968,224	36,643,531	67,611,755
30	Of the above appropriation,			
31	\$147,073 shall be expended for			
32	fire ant eradication/research			
33	at the Department of Entomol-			
34	ogy. Of the above appropria-			
35	tion, \$250,000 shall be ex-			
36	pended for the Poultry Tech-			
37	nology Center and \$40,854			
38	shall be expended for poultry			
39	research.			
40	(e) Operations and Maintenance			
41	and Program Support, Alabama			
42	Cooperative Extension System			
43	32,045,664	28,941,604	60,987,268

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
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Of the above appropriation,
\$250,000 shall be expended for
the federal road - rural de-
velopment project.

(f) Operations and Maintenance
and Program Support, Auburn
University at Montgomery ..

23,532,791	52,710,434	76,243,225
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Of the above appropriation to
Auburn University at Montgom-
ery, \$300,673 shall be ex-
pended for the Statewide Eco-
nomic Resources Initiative
Education Support
(S.E.R.I.E.S.) Program to pro-
vide a statewide economic im-
pact education support system
dedicated to providing techno-
logical capabilities to gov-
ernment agencies; \$110,304
shall be expended for the fur-
ther implementation of SMART
Governing; and \$110,304 shall
be expended for the GAAT/CPM
Program; \$163,418 shall be
expended for the Judicial Col-
lege; and \$715,000 shall be
expended for the Senior Re-
source Center, and ~~\$250,000~~
~~shall be expended for the Ru-
ral Economic Development Pro-
gram Center.~~

SOURCE OF FUNDS:

(1) ETF 242,774,700

(2) Federal Stimulus Funds,
estimated 25,883,408

(3) Federal and Other Funds 685,060,643

Total Auburn University, Board of Trustees	242,774,700	710,944,051	953,718,751
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6. Education, State Board of -
Athens State University:

(a) Operations and Maintenance	11,142,158	15,274,646	26,416,804
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	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 and Program Support			
2 (b) Auxiliary Enterprises ...		96,898	96,898
3 (c) Restricted Funds		19,610,082	19,610,082
4 SOURCE OF FUNDS:			
5 (1) ETF	11,142,158		
6 (2) Federal Stimulus Funds,			
7 estimated		964,566	
8 (3) Federal and Other Funds .		34,017,060	
9 Total Education, State Board			
10 of - Athens State University	11,142,158	34,981,626	46,123,784
11 7. Jacksonville State Univer-			
12 sity, Board of Trustees:			
13 (a) Operations and Maintenance			
14 and Program Support	36,811,515	54,259,501	91,071,016
15 Of the above appropriation,			
16 \$1,325,609 shall be expended			
17 by the Alabama Small Business			
18 Institute of Commerce;			
19 \$204,268 shall be expended for			
20 the Wellness Initiative; and			
21 \$204,271 shall be expended for			
22 the Little River Canyon Field			
23 School.			
24 (b) Auxiliary Enterprises ...		8,062,084	8,062,084
25 (c) Restricted Funds		9,181,572	9,181,572
26 (d) Alabama Film Initiative			
27 Program	462,500		462,500
28 SOURCE OF FUNDS:			
29 (1) ETF	37,274,015		
30 (2) Federal Stimulus Funds,			
31 estimated		3,343,660	
32 (3) Federal and Other Funds .		68,159,497	
33 Total Jacksonville State Uni-			
34 versity, Board of Trustees ..	37,274,015	71,503,157	108,777,172
35 8. Montevallo, University of,			
36 Board of Trustees:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(a) Operations and Maintenance			
2	and Program Support	17,792,894	24,106,656	41,899,550
3	(b) Auxiliary Enterprises ...		4,518,574	4,518,574
4	(c) Restricted Funds		11,620,847	11,620,847
5	SOURCE OF FUNDS:			
6	(1) ETF	17,792,894		
7	(2) Federal Stimulus Funds,			
8	estimated		1,615,160	
9	(3) Federal and Other Funds .		38,630,917	
10	Total Montevallo, University			
11	of, Board of Trustees	17,792,894	40,246,077	58,038,971
12	9. North Alabama, University			
13	of, Board of Trustees:			
14	(a) Operations and Maintenance			
15	and Program Support	25,105,160	42,466,199	67,571,359
16	(b) Auxiliary Enterprises ...		9,598,878	9,598,878
17	(c) Restricted Funds		9,061,429	9,061,429
18	SOURCE OF FUNDS:			
19	(1) ETF	25,105,160		
20	(2) Federal Stimulus Funds,			
21	estimated		2,214,246	
22	(3) Federal and Other Funds .		58,912,260	
23	Total North Alabama, Univer-			
24	sity of, Board of Trustees ..	25,105,160	61,126,506	86,231,666
25	10. South Alabama, University of,			
26	Board of Trustees:			
27	(a) Operations and Maintenance			
28	and Program Support	99,947,234	431,578,337	531,525,571
29	Of the above appropriation,			
30	\$300,000 shall be expended for			
31	the C.P. Newdome Foundation.			
32	(b) Auxiliary Enterprises ...		18,875,768	18,875,768
33	(c) Restricted Funds		65,893,819	65,893,819

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:		
2	(1) ETF	99,947,234	
3	(2) Federal Stimulus Funds,		
4	estimated	10,768,819	
5	(3) Federal and Other Funds .	505,579,105	
6	Total South Alabama, Univer-		
7	sity of, Board of Trustees ..	99,947,234	516,347,924
8			616,295,158
9	11. Troy University, Board of Trustees:		
10	(a) Operations and Maintenance		
11	and Program Support	45,092,510	178,316,821
12	Of the above appropriation,		223,409,331
13	\$133,354 shall be expended for		
14	the Interpreter's Program;		
15	\$40,854 shall be expended for		
16	the Center for International		
17	Business and Economic Develop-		
18	ment; and \$46,854 shall be		
19	expended as an additional al-		
20	location for the Phenix City		
21	Campus.		
22	(b) Auxiliary Enterprises ...	13,920,457	13,920,457
23	(c) Restricted Funds	16,665,311	16,665,311
24	SOURCE OF FUNDS:		
25	(1) ETF	45,092,510	
26	(2) Federal Stimulus Funds,		
27	estimated	4,599,282	
28	(3) Federal and Other Funds .	204,303,307	
29	Total Troy University, Board		
30	of Trustees	45,092,510	208,902,589
31			253,995,099
32	12. West Alabama, University of, Board of Trustees:		
33	(a) Operations and Maintenance		
34	and Program Support	13,937,010	12,805,801
35	Of the above appropriation,		26,742,811
36	\$712,012 shall be expended for		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 the Alabama Medical Education			
2 Consortium; \$204,271 shall be			
3 expended for the Economic and			
4 Small Business Development			
5 Program; \$102,136 for the Re-			
6 gional Wellness and Fitness			
7 Center; \$36,769 shall be ex-			
8 pended for the National Young			
9 Farmers Educational Associa-			
10 tion; \$281,945 shall be ex-			
11 pended for the Black Belt			
12 Treasures Initiative; \$69,000			
13 for the Office of Interna-			
14 tional Programs; and \$400,000			
15 shall be expended for remedial			
16 education programs.			
17 (b) Auxiliary Enterprises ...		3,765,212	3,765,212
18 (c) Restricted Funds		1,857,760	1,857,760
19 SOURCE OF FUNDS:			
20 (1) ETF	13,937,010		
21 (2) Federal Stimulus Funds,			
22 estimated		1,203,971	
23 (3) Federal and Local Funds .		17,224,802	
24 Total West Alabama, University			
25 of, Board of Trustees	13,937,010	18,428,773	32,365,783
26 3D. Other:			
27 1. Deaf and Blind, Alabama In-			
28 stitute for, Board of Trust-			
29 ees:			
30 (a) Adult Programs	9,349,612	6,659,444	16,009,056
31 (b) Children and Youth Pro-			
32 grams	26,043,024	3,423,185	29,466,209
33 (c) Industries for the Blind	7,967,304	23,920,944	31,888,248
34 SOURCE OF FUNDS:			
35 (1) ETF	43,359,940		
36 (2) Federal and Other Funds .		34,003,573	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
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1	Total Deaf and Blind, Alabama		
2	Institute for, Board of Trust-		
3	ees	43,359,940	34,003,573
			77,363,513

2. Knight v. Alabama - Finan-
cial Obligations:

6	(a) Support of State Universi-		
7	ties Program, Estimated ...	5,495,742	5,495,742

Pursuant to the Settlement
Agreement and Final Order in
the Knight v. Alabama case
CV-83-M-1676, the appropria-
tion above includes the fol-
lowing:

Alabama State
University
-Trust for Edu-
cational Excel-
lence Matching
Funds of up to
..... 1,000,000

To provide up to \$1,000,000 to
the extent same has been
matched by gifts, grants, and
contributions to the Trust.

Alabama A & M
University
-Trust for Edu-
cational Excel-
lence Matching
Funds of up to 1,000,000

To provide up to \$1,000,000 to
the extent same has been
matched by gifts, grants, and
contributions to the Trust.

Alabama State
University-for
Scholarships to
Diversify Funds
of up to 1,000,000

To provide up to \$1,000,000
pursuant to the requirements
of the Settlement Agreement
and Final Order. Any funds

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1 remaining after the payment of
 2 the scholarships shall be
 3 transferred to the Alabama
 4 Commission on Higher Educa-
 5 tion-Alabama Student Assis-
 6 tance Program fund and shall
 7 not revert to the ETF at the
 8 end of the fiscal year.
 9 Alabama A & M
 10 University-for
 11 Scholarships to
 12 Diversify Funds
 13 of up to 1,000,000
 14 To provide up to \$1,000,000
 15 pursuant to the requirements
 16 of the Settlement Agreement
 17 and Final Order. Any funds
 18 remaining after the payment of
 19 the scholarships shall be
 20 transferred to the Alabama
 21 Commission on Higher Educa-
 22 tion-Alabama Student Assis-
 23 tance Program fund and shall
 24 not revert to the ETF at the
 25 end of the fiscal year.
 26 PhD in Microbi-
 27 ology 1,295,742
 28 Based on funding formula cal-
 29 culations provided by the Ala-
 30 bama Commission on Higher Edu-
 31 cation. This appropriation is
 32 the fifth year of eight years
 33 of funding for this program.
 34 Two-Year
 35 Postsecondary
 36 Department, Al-
 37 abama A & M -
 38 Alabama State
 39 University
 40 Transfer Schol-
 41 arship Program .. 200,000
 42 SOURCE OF FUNDS:
 43 (1) ETF

 5,495,742

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Total Knight v. Alabama - Fi-			
2 nancial Obligations	5,495,742		5,495,742
3 To be allocated and expended			
4 in accordance with the Final			
5 Order and Settlement Agreement			
6 in Knight v. Alabama, Civil			
7 Action CV 83-M-1676, 900 F			
8 Supp 272.			

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

	School System Name	Distribution of Interest
21	Autauga County	\$2,152
22	Baldwin County	55,478
23		

HB274

1	Barbour County	341
2	Bibb County	13,475
3	Blount County	5,573
4	Calhoun County	567,608
5	Piedmont City	120
6	Cherokee County	35,893
7	Chilton County	19,172
8	Choctaw County	254,676
9	Clarke County	265,845
10	Thomasville City	17,620
11	Clay County	273
12	Cleburne County	1,819
13	Coffee County	15,199
14	Elba City	303
15	Enterprise City	271
16	Colbert County	862,096
17	Muscle Shoals City	58,834
18	Sheffield City	10,699
19	Tuscumbia City	56,553
20	Conecuh County	46

1	Coosa County	7,812
2	Covington County	1,335,886
3	Andalusia City	188,267
4	Opp City	161,250
5	Cullman County	95,546
6	Dale County	1,177
7	Daleville City	892
8	Dallas County	2,471
9	Selma City	1,266
10	DeKalb County	16,101
11	Fort Payne City	1,420
12	Elmore County	19,248
13	Tallassee City	1,156
14	Escambia County	249,835
15	Brewton City	20,523
16	Etowah County	107
17	Gadsden City	29
18	Fayette County	29,036
19	Franklin County	622,371
20	Russellville City	130,179

HB274

1	Geneva County	510,370
2	Geneva City	41,626
3	Greene County	258,426
4	Hale County	19,343
5	Henry County	32,646
6	Houston County	107,277
7	Dothan City	649
8	Jackson County	123,983
9	Scottsboro City	2,034
10	Jefferson County	1,320,529
11	Birmingham City	297
12	Lamar County	1,621
13	Lauderdale County	271,761
14	Florence City	18,953
15	Lawrence County	5,169
16	Limestone County	285
17	Athens City	6,630
18	Lowndes County	1,210
19	Macon County	13,766
20	Madison County	61

1	Huntsville City	522
2	Madison City	108
3	Marengo County	113,077
4	Demopolis City	2,559
5	Linden City	36,318
6	Marion County	343,220
7	Winfield City	31,151
8	Marshall County	11,001
9	Guntersville City	102
10	Monroe County	10,760
11	Montgomery County	117
12	Morgan County	603
13	Decatur City	66,869
14	Perry County	2,074
15	Pickens County	1,717
16	Pike County	83
17	Randolph County	6,074
18	Roanoke City	852
19	Russell County	107
20	Phenix City	21

1	Saint Clair County	22,582
2	Pell City	89
3	Shelby County	6,914
4	Sumter County	41,067
5	Talladega County	201
6	Sylacauga City	48
7	Talladega City	28
8	Tallapoosa County	15
9	Tuscaloosa County	10,950
10	Tuscaloosa City	41
11	Walker County	346
12	Washington County	303,595
13	Wilcox County	30,619
14	Winston County	26,025
15	Haleyville City	5,143

16 Section 5. In addition to all other appropriations,
17 there is hereby appropriated from the Education Trust Fund the
18 following amounts to be conditioned upon the availability of
19 funds, the recommendation of the Director of Finance, and the
20 approval of the Governor:

	Entity	Appropriation
1	Department of Education-for the Al-	
2	a. abama Reading Initiative	\$5,000,000
	Department of Education-for the Al-	
	abama Math/Science/Technology Ini-	
3	b. tiative	\$5,000,000
	Department of Education-for Dis-	
4	c. tance Learning (ACCESS)	\$5,000,000
	Foundation Program/Local Boards of	
5	d. Education - Other Current Expense	\$20,000,000
	Foundation Program/Local Boards of	
6	e. Education - Transportation Program	\$10,000,000
	Department of Education-for Ad-	
7	f. vanced Placement	\$1,000,000
	Department of Education-Teacher Re-	
8	g. cruitment Incentives	\$2,000,000
	Department of Education-Teacher	
9	h. Mentoring	\$1,000,000
10	i. Department of Human Resources	\$5,000,000
	State Council on the	
11	j. Arts-Smithsonian Arts Festival	\$1,000,000
12	k. Department of Rehabilitation Ser-	\$500,000

HB274

		vices-Homebound Program	<u>1,000,000</u>
		Department of Rehabilitation Ser-	\$500,000
13	l.	vices-Early Intervention Program	<u>1,000,000</u>
		State Board of Education, Local Boards of Education - Textbooks (to be allocated equally based on the number of students in Average Daily Membership and in the same manner as other classroom instructional support funds are distributed in	
14	m.	the Foundation Program)	\$5,600,000
		State Board of Education, Local Boards of Education - Technology (to be distributed equally based on the number of state-funded units and in the same manner as other classroom instructional support funds are distributed in the Foun-	
15	n.	dation Program)	\$9,900,000
16	o.	School of Math and Science	\$450,000
17	p.	School of Fine Arts	\$450,000
		<u>Alabama Institute for Deaf and</u>	
18	q.	<u>Blind</u>	<u>\$250,000</u>

1 Section 6. 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 Governor, the Chairs of the House
11 Education 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 7. 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,

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

12 Section 8. The State Superintendent of Education
13 shall make requisitions to the State Comptroller in favor of
14 the proper beneficiary in accordance with the law and rules
15 and regulations governing the expenditure or disbursement of
16 any and all funds appropriated to the State Department of
17 Education and/or the State Board of Education in this act,
18 whereupon the Comptroller shall issue his warrant therefor.
19 All other appropriations in this act shall be paid after
20 proper requisitions are made to the State Comptroller in the
21 manner now provided by law.

22 Section 9. Nothing in this act shall be construed to
23 affect or repeal any law authorizing or permitting any
24 college, school or other education or eleemosynary institution
25 of the State to receive, collect or disburse any fees,

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

8 Section 10. The appropriations made herein to the
9 departments, boards, offices, commissions, and agencies
10 include the amount necessary and said departments, boards,
11 offices, commissions, and agencies are hereby directed to make
12 the transfer of funds to the State Personnel Department in the
13 amounts enumerated in the general appropriations act for the
14 fiscal year ending September 30, 2011. All agencies and
15 institutions enumerated in this act that receive services from
16 other governmental agencies enumerated in this act or the
17 general appropriations act shall make full payment in a timely
18 manner (as determined by the Department of Finance) for such
19 services.

20 Section 11. All encumbered balances of a previous
21 fiscal year appropriation other than the exclusions authorized
22 by the Code of Alabama 1975, Section 41-4-93, shall lapse no
23 later than September 30 of the fiscal year immediately
24 following the fiscal year for which the appropriation was made
25 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 12. 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 13. 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 14. For FY 2011, local boards of education
8 may exercise flexibility among line item expenditures, not to
9 create a reduction of earned teacher units and/or local board
10 of education support personnel.

11 Section 15. This Act anticipates \$0 in an
12 unappropriated or unanticipated ending balance in the
13 Education Trust Fund. Notwithstanding Section 40-1-32.1 or any
14 other law, if FY 2011 ends with a balance in the ETF, 37.5% of
15 any ending balance must be transferred by the Director of
16 Finance to the Statutory Proration Prevention Account in
17 Section 40-1-32.1, Code of Alabama and 37.5% must be
18 transferred by the Director of Finance toward the repayment of
19 the Rainy Day Account as provided for in Amendment 803 to the
20 Alabama Constitution.

21 Section 16. No funds provided herein for the public
22 schools shall be used for the payment of any salaries of
23 personnel which are not under the direct control, employment,
24 and supervision of local boards of education; provided,
25 however, that this section shall not apply to the

1 construction, renovation, or major repair of buildings or
2 other capital improvements which are beyond the capacity of
3 regular employees to perform.

4 Section 17. Any amounts that may become due and
5 payable of Public School and College Authority Swaptions are
6 hereby authorized to be paid in the same manner as other debt
7 service on Public School and College Authority bonds,
8 including items such as court costs and attorney fees
9 associated with swaption litigation.

10 Section 18. Notwithstanding any other provisions of
11 this act or any other act, any amount from appropriations for
12 the fiscal year ending September 30, 2010 to the various state
13 agencies and institutions in this act which are unexpended and
14 reverted on September 30, 2010 are hereby reappropriated to
15 the respective offices for the fiscal year beginning October
16 1, 2010.

17 Section 19. If merit pay increases are reinstated
18 after December 31, 2010, current anniversary dates will be
19 maintained for all employees. Agencies are prohibited from
20 adjusting employee anniversary dates to obtain merit pay
21 increases at an earlier date.

22 Section 20. The appropriations made herein to the
23 departments, boards, offices, commissions and agencies include
24 the amounts necessary to pay the State Employee Health
25 Insurance Board (SEIB). The SEIB rate shall be \$805 per month

1 for each full-time employee for the fiscal year ending
2 September 30, 2011. The SEIB shall adjust the insurance
3 program wherever appropriate to maintain the aforementioned
4 fixed rate.

5 Section 21. In the event any federal funds become
6 available to Alabama from any additional federal stimulus or
7 jobs funds from Congress for education, it is the intent of
8 the Legislature to carry forward those funds to be
9 appropriated for FY 2012 if allowed by Congress. If Alabama is
10 not allowed to carry those funds forward to FY 2012, there is
11 hereby conditionally appropriated any federal funds made
12 available to Alabama from any additional federal stimulus
13 funds provided by Congress. Any such funds should be
14 apportioned by the Director of Finance according to the
15 division of funds between higher education and K-12 as
16 provided for in this Act unless the distribution is otherwise
17 provided by Congress. The first priority conditional for the
18 K-12 share of federal jobs funds shall be to distribute
19 \$33,040,170 for fleet renewal. The second priority conditional
20 shall be to distribute the remainder of any K-12 federal jobs
21 funds through the Other Current Expense formula in the
22 Foundation Program.

23 Section 22. If any section, paragraph, sentence,
24 clause, provision or portion of this act or all or any portion
25 of the appropriations herein made is held unconstitutional or

1 invalid, it shall not affect any other section, paragraph,
2 sentence, clause, provision or portion of this act or any
3 other appropriation or appropriations or portion thereof
4 hereby made not in and of itself unconstitutional or invalid.

5 Section 23. All laws or parts of laws, general,
6 special, private or local in conflict with or inconsistent
7 with the provisions of this act are hereby expressly repealed.

8 Section 24. This act shall become effective on
9 October 1, 2010.

Ad. / Smith
Speaker of the House of Representatives

Jim Folsom
President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 30-MAR-10, as amended.

Greg Pappas
Clerk

Senate

08-APR-10

Amended and Passed

House

08-APR-10

Concurred in Sen-
ate Amendment

APPROVED April 22, 2010

TIME

3:05 p.m.

Bob Riley
GOVERNOR

Alabama Secretary Of State

Act Num....: 2010-610
Bill Num....: H-274