

1 SB570  
2 111858-2  
3 By Senator Sanders  
4 RFD: Finance and Taxation Education  
5 First Read: 07-APR-09

2  
3  
4 ENGROSSED

5  
6  
7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 To make appropriations for the support, maintenance  
12 and development of public education in Alabama, for debt  
13 service, and for capital outlay for the fiscal year ending  
14 September 30, 2010.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. There is hereby appropriated for the  
17 support of public education in Alabama for the fiscal year  
18 ending September 30, 2010, for debt service, and for capital  
19 outlay to be paid out of funds specified in subsection (a) of  
20 Section 2 of this act, the amounts specified in subsections  
21 (a), (b), (c), and (d) of Section 3 of this act. For the  
22 purpose specified in subsection (b) of Section 2 of this act,  
23 amounts are shown by programmatic area and the total for all  
24 programs is shown so as to include estimated sources of funds  
25 other than those listed in subsection (a) of Section 2 of this  
26 act. For the purpose of this act, "ETF" shall mean the  
27 Education Trust Fund and "Federal and Local Funds" shall mean

1 all gifts, grants, contributions, or entitlements, including  
2 grants by the Congress of the United States, municipalities or  
3 counties.

4 Section 2. (a) The appropriations provided for in  
5 this act shall be paid from funds in the State Treasury to the  
6 credit of the Education Trust Fund, Alabama Peace Officers'  
7 Standards and Training Fund, Impaired Drivers Trust Fund,  
8 Driver Education and Training Fund, Special Education  
9 Catastrophic Fund, Alabama Veterans Assistance Fund, and  
10 Public School Fund and are hereby made for the support of  
11 public education in Alabama for the fiscal year ending  
12 September 30, 2010, and the appropriations herein made shall  
13 be subject to the provisions, terms, conditions and  
14 limitations of the Budget and Financial Control Act (Code of  
15 Alabama 1975, Sections 41-4-80 et seq.), the provisions of the  
16 Budget Management Act of 1976 (Code of Alabama 1975, Sections  
17 41-19-1 et seq.), and shall be in the amounts hereinafter  
18 specified.

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

1 pay period which has been or may be established by the  
 2 Legislature for the payment of salaries of state employees,  
 3 the entire payment due shall be made from the fiscal year's  
 4 appropriation in which the pay date falls.

5 Section 3.

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
<b>3A. Legislative Branch:</b>			
<b>1. Examiner of Public Accounts:</b>			
(a) Audit Services Program ..	7,450,000		7,450,000
SOURCE OF FUNDS:			
(1) ETF .....	7,450,000		
Total Examiner of Public Ac- counts .....	7,450,000		7,450,000

14 The above appropriation shall  
 15 be used for educational au-  
 16 dits. The Department of Exam-  
 17 iners of Public Accounts is  
 18 hereby authorized to examine  
 19 as deemed necessary all appro-  
 20 priations herein made for com-  
 21 pliance with the laws of the  
 22 State of Alabama. Any examina-  
 23 tion performed shall be in  
 24 accordance with the provisions  
 25 of Title 41, Chapter 5, Code  
 26 of Alabama 1975. State enti-  
 27 ties are hereby authorized to  
 28 reimburse the Examiner of Pub-  
 29 lic Accounts the full cost for  
 30 auditing funds from the Ameri-  
 31 can Recovery and Reinvestment  
 32 Act of 2009 and such funds are  
 33 hereby appropriated to the  
 34 Examiners of Public Accounts.

35 **2. Law Institute, Alabama:**

(a) Support of Other Educa- tional Activities Program .	250,486		250,486
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38 SOURCE OF FUNDS:

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF .....	250,486	
2	Total Law Institute, Alabama	250,486	250,486
3	<b>3. Legislative Fiscal Office:</b>		
4	(a) Legislative Operations and		
5	Support Program .....	374,492	374,492
6	SOURCE OF FUNDS:		
7	(1) ETF .....	374,492	
8	Total Legislative Fiscal Of-		
9	fice .....	374,492	374,492
10	<b>4. Legislative Reference Ser-</b>		
11	<b>vice:</b>		
12	(a) Legislative Operations and		
13	Support Program .....	107,756	107,756
14	SOURCE OF FUNDS:		
15	(1) ETF .....	107,756	
16	Total Legislative Reference		
17	Service .....	107,756	107,756
18	This appropriation to the Leg-		
19	islative Reference Service		
20	shall be expended for the re-		
21	vision of Title 16 of the Code		
22	of Alabama 1975.		
23	<b>3B. Executive Branch:</b>		
24	<b>1. American Legion and Auxil-</b>		
25	<b>iary Scholarships:</b>		
26	(a) Financial Assistance Pro-		
27	gram, Estimated .....	112,500	112,500
28	SOURCE OF FUNDS:		
29	(1) ETF .....	112,500	
30	Total American Legion and Aux-		
31	iliary Scholarships .....	112,500	112,500
32	To be expended under the pro-		
33	visions of Code of Alabama		
34	1975, Sections 16-31-1 through		
35	16-31-4.		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	<b>2. Archives and History, De-</b>		
2	<b>partment of:</b>		
3	(a) Historical Resources Man-		
4			
5	SOURCE OF FUNDS:		
6			
7			
8			
9			
10			
11			
12			
13	<b>3. Arts, State Council on the:</b>		
14			
15	SOURCE OF FUNDS:		
16			
17			
18			
19			
20			
21			
22	<b>4. Building Commission, State:</b>		
23			
24	SOURCE OF FUNDS:		
25			
26			
27			
28	<b>5. Child Abuse and Neglect Pre-</b>		
29	<b>vention, Department of:</b>		
30			
31	In accordance with Sections		
32	26-16-1 et seq., Code of Ala-		
33	bama 1975.		
34	SOURCE OF FUNDS:		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF-Transfer .....	1,711,849		
2	Total Child Abuse and Neglect			
3	Prevention, Department of ...	1,711,849		1,711,849
4	<b>6. Children's Affairs, Depart-</b>			
5	<b>ment of:</b>			
6	(a) Social Services Program .	19,242,514		19,242,514
7	The proposed spending plan for			
8	the ETF monies included in the			
9	above program is as follows:			
10	Office of			
11	School Readiness .....	19,011,762		
12	Operations and			
13	Maintenance ..	230,752		
14				
15	SOURCE OF FUNDS:			
16	(1) ETF .....	19,242,514		
17	Total Children's Affairs, De-			
18	partment of .....	19,242,514		19,242,514
19				
20	<b>7. Debt Service:</b>			
21	(a) Debt Service Program ....	2,984,761	8,000,000	10,984,761
22	For payments on interest and			
23	principal of GO Bonds, Series			
24	2001-B .....	800,821		
25	For payments on interest and			
26	principal of GO Bonds, Series			
27	2001-A .....	3,563,477		
28	For payments on interest and			
29	principal of GO Bonds, Series			
30	2005-A .....	6,005,719		
31	For payments on endowments as			
32	follows:			
33	For interest on Auburn Univer-			
34	sity Endowment .....	20,280		
35	For interest on University of			
36	Alabama Endowment ....	61,000		
37	For interest on Grove Hill			
38	Endowment .....	600		
39	For interest on Public School			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Fund Endowment:		
2	Interest on 16th Section		
3	Lands, Estimated ....	410,000	
4	Interest on School Indemnity		
5	Lands, Estimated .....	90,000	
6	Interest on Valueless 16th		
7	Section Land .....	5,825	
8	For interest on Surplus Reve-		
9	nue .....	26,764	
10	Interest on James Wallace Fund		
11	.....	<u>275</u>	
12	Total Interest on Public		
13	School Fund Endowment	532,864	
14	SOURCE OF FUNDS:		
15	(1) ETF .....	2,451,897	
16	(2) ETF-Transfer .....	532,864	
17	(3) Alabama Capital Improve-		
18	ment Trust Fund .....		8,000,000
19	Total Debt Service .....	<u>2,984,761</u>	<u>8,000,000</u>
			<u>10,984,761</u>
20			
21	<b>8. Dental Scholarship Awards,</b>		
22	<b>Board of:</b>		
23	(a) Support of Other Educa-		
24	tional Activities Program .	295,913	295,913
25	To be expended under the pro-		
26	visions of Code of Alabama		
27	1975, Sections 16-47-76		
28	through 16-47-81.		
29	SOURCE OF FUNDS:		
30	(1) ETF .....	295,913	
31	Total Dental Scholarship		
32	Awards, Board of .....	<u>295,913</u>	<u>295,913</u>
33	<b>9. Education, State Board of -</b>		
34	<b>Local Boards of Education:</b>		
35	(a) Foundation Program .....	3,295,124,679	683,813,711
36	Notwithstanding Section		
37	16-32-232 of the Code of Ala-		
38	bama 1975, of the above appro-		3,978,938,390

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	<p>priation that is allocated to</p>		
2	<p>fund current teacher units,</p>		
3	<p>\$356,500 shall be earmarked to</p>		
4	<p>fund teacher units for kinder-</p>		
5	<p>garten teachers in the</p>		
6	<p>Saraland City School System.</p>		
7	(b) Transportation Program ..	299,895,832	299,895,832
8	<p>The State Superintendent is</p>		
9	<p>directed to withhold transpor-</p>		
10	<p>tation funds used to pay em-</p>		
11	<p>ployee benefits including but</p>		
12	<p>not limited to PEEHIP, sick</p>		
13	<p>leave, teacher retirement, and</p>		
14	<p>F.I.C.A. from any local board</p>		
15	<p>which does not directly pro-</p>		
16	<p>vide these benefits to trans-</p>		
17	<p>portation employees. No local</p>		
18	<p>board shall be allowed to con-</p>		
19	<p>vert funding provided in this</p>		
20	<p>budget for employee benefits</p>		
21	<p>into other uses or expendi-</p>		
22	<p>tures. The above appropriation</p>		
23	<p>includes fleet renewal funds</p>		
24	<p>of \$5,024 per bus. No fleet</p>		
25	<p>renewal funds shall be sent to</p>		
26	<p>any school system which does</p>		
27	<p>not own its own buses. The</p>		
28	<p>State Examiner of Public Ac-</p>		
29	<p>counts shall assure compli-</p>		
30	<p>ance. The rate per day for two</p>		
31	<p>personal days and five sick</p>		
32	<p>days for transportation per-</p>		
33	<p>sonnel shall be \$40. An appro-</p>		
34	<p>priately certified transporta-</p>		
35	<p>tion substitute shall be em-</p>		
36	<p>ployed for the absent trans-</p>		
37	<p>portation employee for each</p>		
38	<p>day the employee is absent.</p>		
39	<p>The Department of Education is</p>		
40	<p>directed to withhold funds</p>		
41	<p>from local systems not employ-</p>		
42	<p>ing substitutes for absent</p>		
43	<p>transportation employees. Such</p>		
44	<p>withheld funds shall revert to</p>		
45	<p>the Education Trust Fund.</p>		
46	(c) At-Risk Student Program .	24,504,145	24,504,145
47	<p>Each district shall receive</p>		
48	<p>its pro rata share for each</p>		
49	<p>student who is defined as be-</p>		
50	<p>ing at-risk of dropping out of</p>		



1 funds and shall assure that  
 2 they are used only in a manner  
 3 designed to provide additional  
 4 assistance above and beyond  
 5 the regular instructional pro-  
 6 gram for at-risk students.  
 7 At-risk funds shall not be  
 8 used to supplant any other  
 9 funding of summer schools or  
 10 other activities which are  
 11 designed to serve the general  
 12 student population but must be  
 13 used for specific programs for  
 14 at-risk students. At-risk stu-  
 15 dents shall be defined as  
 16 those students who score at  
 17 level 1 or level 2 (not profi-  
 18 cient/partially proficient) in  
 19 reading or mathematics on the  
 20 current state assessments.  
 21 Further, local school faculty  
 22 and the school principal shall  
 23 make specific recommendations  
 24 for students at the school to  
 25 be included as participants in  
 26 the at-risk program. At-risk  
 27 funds may be expended for stu-  
 28 dent programs to improve the  
 29 efficiency and utilization of  
 30 technology-based educational  
 31 resources in the classroom. As  
 32 a part of the above appropria-  
 33 tion for the At-Risk Student  
 34 Program, there is hereby ap-  
 35 propriated \$750,000 for the  
 36 Alabama Student Information  
 37 Management System (ASIMS).  
 38 ASIMS will connect each school  
 39 in Alabama with the Department  
 40 of Education through a common  
 41 software program in order to  
 42 assimilate data necessary to  
 43 comply with state accountabil-  
 44 ity standards, the collection  
 45 of statewide student health  
 46 data, Legislative Fiscal Of-  
 47 fice requests, and the 2001  
 48 Reauthorization of the Elemen-  
 49 tary and Secondary Education  
 50 Act (ESEA). It is the intent  
 51 of the Legislature that



	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	schools or school systems for		
2	at-risk programs but may not		
3	receive any compensation or		
4	reimbursement for expenses or		
5	other costs. The State Board		
6	of Education is hereby autho-		
7	rized, at its discretion, to		
8	institute a pilot program to		
9	employ behavioral support spe-		
10	cialists in public middle		
11	schools.		
12	(d) Endowment Interest Pro-		
13	gram-Public School Fund,		
14	Estimated .....	532,864	532,864
15	(e) Capital Outlay Pro-		
16	gram-Public School Fund,		
17	Estimated .....	195,000,000	195,000,000
18	(f) Board of Adjustment .....	478,380	478,380
19	(g) School Nurses Program ...	33,777,343	33,777,343
20	To be distributed so that each school system shall receive one nurse and additional		
21	nurse or fractions of a nursing allocation based upon the average daily membership		
22	during the first 20 scholastic days after Labor Day of the preceding school year.		
23	The School Nurses Program shall use the following salary matrix to determine nursing		
24	salaries, based on 187 contract days and seven and one-half working hours per day.		
25	No funds provided herein for the School Nurses Program shall be used for the payment		
26	of any salaries of nurses who are not under the direct control, employment, and su-		
27	pervision of local boards of education. Any part-time employee pay shall conform to		
28	the pro-rata share of the following matrix:		
29	Years Expe-		
30	rience	LPN	RN
			RN/MS
31	less than 3	19,000	36,144
			41,564
32	3 but less		
33	than 6	20,881	39,756
			45,720
34	6 but less		
35	than 9	21,779	41,497
			47,721
36	9 but less		
37	than 12	22,062	42,053
			48,362
38	12 but less		
39	than 15	22,459	42,818
			49,238
40	15 but less		
41	than 18	22,953	43,794
			50,364
42	18 but less		
43	than 21	23,229	44,360
			51,012
44	21 but less		
45	than 24	23,507	44,926
			51,666

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	24 but less			
2	than 27	24,007	45,461	52,201
3	27 or more	24,507	45,997	52,737
4	As a part of the above appropriation for the School Nurses Program, there is hereby			
5	appropriated \$250,000 for the collection and management of statewide student health			
6	data, school by school.			
7	(h) Capital Outlay Pro-			
8	gram-Federal and Local			
9	Funds, Estimated .....		48,632,982	48,632,982
10	(i) Information Technology			
11	Services Program .....	4,004,369		4,004,369
12	The above appropriation shall			
13	be expended by local school			
14	systems towards the position			
15	of a district technology coor-			
16	dinator that meets the job			
17	description and qualifications			
18	as established by the State			
19	Board of Education and serves			
20	as the primary point of con-			
21	tact for all technology is-			
22	sues. The District Technology			
23	Coordinator as directed by the			
24	school system shall be respon-			
25	sible for a technology program			
26	that ensures the proper ac-			
27	countability for the follow-			
28	ing: technology funds; tech-			
29	nology professional develop-			
30	ment; technology planning and			
31	reporting; coordination of			
32	technology across all pro-			
33	grams; a safe, secure, and			
34	fully operable network; tech-			
35	nology procurement and inven-			
36	tory; technology support for			
37	data management; technology			
38	support for distance learning;			
39	annual E-rate application;			
40	and, directing a program to			
41	ensure all state standards			
42	involving technology for			
43	teachers, administrators, and			
44	students are met and technol-			
45	ogy is integrated throughout			
46	the curriculum.			
47	SOURCE OF FUNDS:			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF .....	3,657,784,748	
2	(2) Federal Stimulus Funds,		
3	estimated .....	179,434,391	
4	(3) Federal and Local Funds .	553,012,302	
5	(4) Public School Fund, Esti-		
6	mated .....	195,532,864	
7	Total Education, State Board		
8	of - Local Boards of Education		
9	.....	3,657,784,748	927,979,557
			4,585,764,305

10 The above appropriation shall be distributed by the State Board of Education in ac-  
11 cordance with the provisions of the Code of Alabama 1975, Sections 16-13-230 through  
12 16-13-239, and all other laws and regulations of the State Board of Education relat-  
13 ing to the expenditure of such funds. These funds shall be used to provide a minimum  
14 school term of 180 full instructional days and for equitable educational opportuni-  
15 ties in the public schools of the state. Foundation Program calculations for FY  
16 2009-2010 are based on the funding divisors set forth below. Units earned under the  
17 Foundation Program shall be employed as regular classroom teachers until and/or un-  
18 less the local school achieves class sizes equal to or less than the following as  
19 mandated by the State Board of Education: grades K-3, maximum of 18; grades 4-6,  
20 maximum of 26; and grades 7-12, maximum of 29. The divisors listed below shall not  
21 serve to prescribe pupil-teacher ratios.

22	Grades K-3 ...	13.8
23	Grades 4-6 ...	21.4
24	Grades 7-8 ...	20.0
25	Grades 9-12 ..	18.0

26  
27 In allocating the funds in the Foundation Program, the State Board of Education  
28 shall allot funds based on the rates established as follows:

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

32	Years Expe-	BS	MS	6Y	DO	ND
33	rience					
34	less than 3	36,144	41,564	44,818	48,071	36,144
35	3 but less					
36	than 6	39,756	45,720	49,297	52,877	39,756
37	6 but less					
38	than 9	41,497	47,721	51,470	55,191	41,497
39	9 but less					
40	than 12	42,053	48,362	52,148	55,932	42,053

		<b>Education Trust Fund</b>	<b>Earmarked Funds</b>	<b>Appropriation To- tal</b>
1	12 but less			
2	than 15	42,818	49,238	53,093
3	15 but less			
4	than 18	43,794	50,364	54,305
5	18 but less			
6	than 21	44,360	51,012	55,005
7	21 but less			
8	than 24	44,926	51,666	55,708
9	24 but less			
10	than 27	45,461	52,201	56,245
11	27 or more	45,997	52,737	56,780

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

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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16-13-231.1(d) of the Code of Alabama 1975, there shall not be an appropriation for the 1% over the total cost of instructional salaries for the Foundation Program as calculated by the State Minimum Salary Schedule for the fiscal year beginning October 1, 2009.

For "Fringe Benefits" the rate per day for two personal days and five sick days (for units earned in the Foundation Program) shall be \$60. The Teachers' Retirement System rate shall be 12.51% of salaries. The Public Education Employees' Health Insurance Program (PEEHIP) rate shall be \$752 per month for each full-time employee.

As funds are appropriated the appropriation herein shall include funds to pay for substitute support employees for each day a support employee is absent. The Department of Education is directed to withhold funds from local systems not employing substitutes for absent support employees, such withheld funds shall revert to the ETF.

For "Classroom Instructional Support" the uniform amounts used in determining the Foundation Program allowance for classroom instructional support shall be: (1) textbooks at \$17.17 per pupil in average daily membership during the first 20 scholastic days after Labor Day of the preceding school year. Funds allocated for instructional support units to meet SACS standards shall be used exclusively and specifically for principals, assistant principals, counselors, and librarians and library aides, as calculated by the State Department of Education and assigned to the schools where such units are earned. An instructional support unit earned for a principal shall be increased by .31 for elementary schools, .35 for middle schools, and .45 for secondary schools and unit schools. An instructional support unit earned for an assistant principal shall be increased by .10 for elementary schools, middle schools, secondary schools and unit schools. An instructional support unit earned for a counselor shall be increased by .03 for secondary schools and unit schools. The budgeting and expenditure of funds in the Foundation Program at the local level shall be determined and made by the local board of education in accordance with rules and regulations of the State Board of Education and all laws governing such school budgets and expenditures.

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

(a) Operations and Maintenance	298,697,326	239,454,514	538,151,840
(b) Auxiliary Enterprises ...		34,590,000	34,590,000
(c) Restricted Funds .....		203,300,000	203,300,000
(d) Operations and Maintenance of Postsecondary Prison Edu- cation (ETF) .....	9,083,633		9,083,633
Of the above appropriation, \$2,012,704 shall be expended for Therapeutic Education.			
(e) Adult Education Program	13,519,815	12,744,603	26,264,418
(f) Special Populations Train- ing .....	4,873,141		4,873,141

For programs to prepare the

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	inmate population, parolees or		
2	other special populations des-		
3	ignated by the Chancellor for		
4	entry into the workforce		
5	through adult education,		
6	preemployment skills training,		
7	and short-term intensive ca-		
8	reer technical training.		
9	(g) Mine Safety Training Pro-		
10	gram at Bevill State Commu-		
11			
		264,997	264,997
12	(h) Postsecondary Education		
13			
	5,601,143	2,904,824	8,505,967
14	(i) Postsecondary/Tech Col-		
15	leges - Truck Driving Train-		
16			
	276,664	2,500,000	2,776,664
17	Of the above appropriation,		
18	\$276,664 shall be expended for		
19	the Truck Driver Training Pro-		
20	gram at Central Alabama Commu-		
21	nity College. The above appro-		
22	priation from earmarked funds		
23	is estimated and shall be ex-		
24	pended pursuant to Section		
25	32-5-313, Code of Alabama		
26	1975.		
27			
	6,636,146	20,504,978	27,141,124
28	The Workforce Development		
29	Funds shall be distributed by		
30	the State Board of Education		
31	upon recommendation of the		
32	Chancellor to develop and im-		
33	plement programs to provide a		
34	skilled workforce and to pro-		
35	vide college operations and		
36	maintenance allocations for		
37	workforce and economic devel-		
38	opment. Of the above appropri-		
39	ation for Workforce Develop-		
40	ment, \$1,000,000 shall be dis-		
41	tributed for 3-D instructional		
42	centers at Wallace State Com-		
43	munity College - Selma; Cen-		
44	tral Alabama Community Col-		
45	lege; and Wallace State Commu-		
46	nity College - Hanceville.		
47			
	6,547,999		6,547,999
48			
	5,254,188		5,254,188

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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1	.....		
2	SOURCE OF FUNDS:		
3	(1) ETF .....	350,755,052	
4	(2) Federal Stimulus Funds,		
5	estimated .....		17,735,504
6	(3) Federal and Other Funds .		498,263,415
7	Total Education, State Board		
8	of - Two-Year College System	350,755,052	515,998,919
			866,753,971

- 9 (1) The allocations as set forth above shall be distributed by the State Board of  
10 Education through the Office of the Chancellor.
- 11 (2) The above appropriation from the ETF for Operations and Maintenance shall be  
12 distributed so that each of the colleges, except Marion Military Institute, shall  
13 receive the amounts necessary to fund additional employer contributions to teachers'  
14 retirement. Shelton State Community College shall receive \$1,148,338 to operate the  
15 Poison Control Center; Jefferson State Community College shall receive \$176,667 to  
16 operate the Risk Watch Program; \$652,970 shall be allocated to Jefferson State Com-  
17 munity College to fund the Center for Labor Education and Research (CLEAR) previ-  
18 ously funded at the University of Alabama in Birmingham; \$90,000 shall be allocated  
19 to Jefferson State Community College for the Predator Avoidance Education Program;  
20 \$200,000 shall be allocated to Shelton State Community College for a partnership  
21 with the University of West Alabama for the preservation of labor education; and  
22 \$300,000 shall be allocated to Gadsden State Community College for economic develop-  
23 ment, allied health sciences and nursing programs. The remaining balance shall be  
24 allocated among colleges in an amount equal to the percent of the continuing and  
25 permanent Operations and Maintenance allocation received from the ETF in Act  
26 2007-361.
- 27 (3) The above appropriation for Operations and Maintenance of Postsecondary Prison  
28 Education shall be distributed to the same colleges and in the same amounts as FY  
29 2008.
- 30 (4) The allocation of Adult Education funds appropriated herein is restricted to the  
31 provision of services by grant recipients as defined under the stipulations of the  
32 Adult Education and Family Literacy Act, Title II of the federal Workforce Invest-  
33 ment Act of 1998.
- 34 (5) From the above appropriation for Special Populations Training, the Life Tech  
35 program shall receive the same amount of funds as received from the Two Year College  
36 System in FY 2008 from all sources, except for any savings recognized from refinanc-  
37 ing of bonds.
- 38 (6) From the above appropriation for the Alabama Technology Network not less than  
39 \$302,101 shall be expended for the continuation of Gadsden State Community College's  
40 AFL-CIO partnership program for trainers and trainees at Goodyear Tire.
- 41 (7) The Chancellor shall not assess the colleges for any state function provided  
42 through the Chancellor's Office nor make any obligation which would encumber any  
43 college's funding.
- 44 (8) It is the intent of the Legislature that the State Board of Education shall not

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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1 authorize or approve the sale of any property donated to any college within the  
2 two-year college system without approval from the Legislative Council.

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

5 (a) Administrative Services			
6 Program .....	175,817,067	91,942,119	267,759,186

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

10 Operations and			
11 Maintenance of			
12 the Department	32,365,771		

13 Of the above appropriation, at  
14 least \$9,324,735 shall be ex-  
15 pended in the same manner and  
16 for the same programs as the  
17 appropriation to the State  
18 Department of Education from  
19 the Children First Trust Fund  
20 was expended in FY 2005.

21 Operations and			
22 Maintenance for			
23 the Alabama			
24 Reading Initia-			
25 tive .....	64,443,081		

26 Operations and			
27 Maintenance for			
28 Math/Science/Te			
29 chnology Ini-			
30 tiative .....	29,000,000		

31 Arts Education	510,000		
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32 For art education programs in  
33 areas evaluated and reviewed  
34 by the Black Belt Action Com-  
35 mission.

36 Teacher/Student			
37 Testing .....	7,217,864		

38 To be expended for  
39 teacher/student test develop-  
40 ment and expenses directly  
41 related to teacher and student  
42 assessment.

43 Children's Eye			
44 Screening Pro-			
45 gram and Fol-			
46 low-up Eye Care	2,381,882		

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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1 .....  
2 Of the above appropriation,  
3 \$1,216,354 shall be used to  
4 provide eye screening for  
5 Grades K, 2 and 4. The method  
6 of screening shall be color  
7 photo refraction as developed  
8 by the National Aeronautics  
9 and Space Administration and  
10 \$1,165,528 shall be used to  
11 provide follow-up care for  
12 those Grades K, 2 and 4 stu-  
13 dents. Follow-up eye care ser-  
14 vices shall include, but not  
15 be limited to, providing as-  
16 sistance in obtaining and co-  
17 ordinating local eye care ser-  
18 vices for those children iden-  
19 tified as needing said fol-  
20 low-up eye care services  
21 whether insured, uninsured or  
22 underinsured. Children identi-  
23 fied as uninsured or  
24 underinsured shall be provided  
25 with free eye exams and free  
26 prescription spectacles. A  
27 database including specific  
28 data by child, grade,  
29 school/system, and services  
30 for outcome-based measurement  
31 shall be maintained and ar-  
32 chived.

33 Governor's Lo-  
34 cal School and  
35 School System  
36 Academic and  
37 Financial Im-  
38 provement Pro-  
39 gram (At-Risk)            15,016,296

40 The above appropriation shall  
41 be expended for the operations  
42 and maintenance of at-risk  
43 programs to develop and imple-  
44 ment school improvement pro-  
45 grams' financial and/or aca-  
46 demic accountability per Sec-  
47 tion 16-6B-3, Code of Alabama  
48 1975, and for benefits for  
49 appropriate personnel within  
50 the Department of Education.

1 At-risk funds shall be used to  
 2 employ personnel under  
 3 short-term contracts who shall  
 4 be assigned by the State Su-  
 5 perintendent of Education to  
 6 give direct assistance to  
 7 schools which come under the  
 8 jurisdiction of the Department  
 9 in accordance with Sections  
 10 16-6B-1 through 16-6B-6, Code  
 11 of Alabama 1975, which re-  
 12 quires schools and/or school  
 13 systems to be placed in inter-  
 14 vention for academic and/or  
 15 financial reasons by the State  
 16 Superintendent. In selecting  
 17 these personnel, the State  
 18 Superintendent shall give  
 19 preference to persons who have  
 20 achieved National Board for  
 21 Professional Teaching Stan-  
 22 dards (NBPTS) certification  
 23 and/or who have been chosen as  
 24 Alabama Teachers of the Year.  
 25 In the event this pool of per-  
 26 sonnel is inadequate, the  
 27 State Superintendent may then  
 28 employ other teaching and/or  
 29 administrative personnel who  
 30 have been recognized for their  
 31 competence. Such personnel  
 32 shall be assigned to work di-  
 33 rectly with schools whose op-  
 34 erations are being assisted by  
 35 the state. The State Superin-  
 36 tendent may further use these  
 37 personnel to assist schools  
 38 that are on Priority status as  
 39 well as use these funds in  
 40 partnership with and funding  
 41 from the Department of Educa-  
 42 tion to improve the learning  
 43 opportunities for at-risk stu-  
 44 dents. These programs shall  
 45 include, but not be limited  
 46 to, after school programs,  
 47 character education programs,  
 48 drop-out prevention programs,  
 49 summer programs, career tech-  
 50 nical youth programs, programs  
 51 to improve reading, and/or

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	math, and/or science skills to		
2	increase grade-to-grade promo-		
3	tion, high school graduation		
4	and college preparedness, and		
5	other activities designed to		
6	assist at-risk students. Per-		
7	sonnel employed or contracted		
8	by the Department for assis-		
9	tance in at-risk schools shall		
10	be on release status from		
11	their respective local boards		
12	of education and shall retain		
13	all benefits and tenure status		
14	unless they are given perma-		
15	nent employment in the State		
16	Department of Education. Funds		
17	may be allocated to entities		
18	that have and/or can effect		
19	positive results in improved		
20	student achievement.		
21	School Account-		
22	ability Report		
23	Card .....	134,340	
24	For distribution of the School		
25	Accountability Report Card		
26	referred to in Section 16-6B-7		
27	of the Code of Alabama 1975 to		
28	every parent with a child in		
29	Alabama public schools.		
30	English as a		
31	Second Language		
32	Students Pro-		
33	gram .....	2,274,475	
34	Based on the 2008-09 school		
35	system count supplied to the		
36	Alabama Department of Educa-		
37	tion by each local superinten-		
38	dent of education, herein is		
39	appropriated on a per student		
40	basis to be utilized by local		
41	school boards to provide as-		
42	sistance to students not uti-		
43	lizing English as their native		
44	language so they may become		
45	proficient in reading, writ-		
46	ing, and speaking English at		
47	the earliest possible time.		
48	Tenure Arbitra-		
49	tion Costs ...	565,000	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Of the above appropriation for		
2	Tenure Arbitration Costs,		
3	\$140,000 shall be transferred		
4	to fund the Office of the At-		
5	torney General for performance		
6	of arbitration services, in-		
7	cluding administration of the		
8	State's tenure laws (Code of		
9	Alabama 1975, Section		
10	36-26-115) by the Office of		
11	Administrative Hearings, Divi-		
12	sion of Administrative Law		
13	Judges.		
14	Teacher Re-		
15	cruitment In-		
16	centives .....	10,000	
17	Distance Learn-		
18	ing .....	20,000,000	
19	Job descriptions shall be de-		
20	veloped by the State Depart-		
21	ment of Education for posi-		
22	tions funded by this appropri-		
23	ation. Hiring of personnel		
24	shall be monitored by the		
25	State Department of Education		
26	for compliance with these job		
27	descriptions. In addition,		
28	these funds shall be used ex-		
29	clusively to meet the distance		
30	learning initiative ACCESS		
31	(Alabama Connecting Class-		
32	rooms, Educators, and Students		
33	Statewide).		
34	Advanced Place-		
35	ment .....	1,360,000	
36	Dropout Preven-		
37	tion Pilot ...	538,358	
38	(b) Financial Assistance Pro-		
39	gram .....	34,424,670	1,244,042,908
			1,278,467,578
40	The proposed spending plan for		
41	the ETF monies included in the		
42	above program is as follows:		
43	Home Instruc-		
44	tion for Par-		
45	ents of Pre-		
46	school Young-		
47	sters (HIPPY)		
48	Program .....	1,519,902	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Southwest		
2	School of Deaf		
3	and Blind ....	291,806	
4	Pre-School Pro-		
5	gram (Special		
6	Education) ...	1,931,927	
7	National Board		
8	for Profes-		
9	sional Teaching		
10	Standards ....	8,690,000	
11	The above appropriation in-		
12	cludes funds to pay assessment		
13	fees for teachers desiring to		
14	take the examination, funds to		
15	provide a \$5,000 supplement in		
16	addition to base salary as		
17	determined by the Minimum Sal-		
18	ary Schedule for all		
19	board-certified teachers. Ala-		
20	bama teachers shall apply for		
21	funding of the assessment fees		
22	and recipients are required to		
23	commit to teach in Alabama		
24	public schools for an addi-		
25	tional period of five years		
26	unless an exception is granted		
27	for just cause. Of the funds		
28	provided herein, an amount not		
29	to exceed \$45,000 shall be		
30	used to pay for release time		
31	of personnel used by the State		
32	Department of Education to		
33	mentor prospective candidates		
34	for the NBPTS certification		
35	and to assist in determining		
36	which candidates shall receive		
37	state funding to take the ex-		
38	amination. Salary must be pro-		
39	vided before said amount can		
40	be used by the State Depart-		
41	ment of Education for person-		
42	nel release time.		
43	Children's Hos-		
44	pital .....	123,250	
45	Career Tech		
46	Initiative ...	2,132,362	
47	P.A.C.E.R.S.		
48	Program .....	132,473	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Teacher		
2	In-Service Cen-		
3	ters .....	3,000,000	
4	The State Board of Education,		
5	through the State Superinten-		
6	dent of Education, shall ad-		
7	minister the in-service cen-		
8	ters and shall monitor the		
9	centers for compliance with		
10	established accountability		
11	standards. The above appropri-		
12	ation to the In-Service Cen-		
13	ters shall be distributed to		
14	the existing eleven Teacher		
15	In-Service Centers in each		
16	geographical area of the state		
17	as follows:		
18	University of		
19	Alabama		
20	.....	236,409	
21	University of		
22	Alabama at Bir-		
23	mingham		
24	.....	327,232	
25	Alabama A and M		
26	University		
27	.....	298,240	
28	Alabama State		
29	University		
30	.....	257,018	
31	Athens State		
32	University		
33	.....	249,146	
34	Auburn Univer-		
35	sity		
36	.....	259,329	
37	Jacksonville		
38	State Univer-		
39	sity		
40	.....	253,954	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	University of		
2	Montevallo		
3	.....	266,892	
4	Troy University		
5	.....	269,761	
6	University of		
7	North Alabama		
8	.....	230,047	
9	University of		
10	South Alabama		
11	.....	349,972	
12	Teacher Profes-		
13	sional Develop-		
14	ment Training	1,154,211	
15	This appropriation shall be		
16	used to train teachers (K-12)		
17	in the use of computers in the		
18	classroom. Trainers shall be		
19	chosen who can assist teachers		
20	in learning computer skills,		
21	the use of instructional soft-		
22	ware, and the classroom uses		
23	of the Internet.		
24	PALS Program .	20,000	
25	Council on Eco-		
26	nomical Education		
27	.....	20,000	
28	Play By The		
29	Rules .....	20,000	
30	Governor's High		
31	Hopes for Ala-		
32	bama Students	11,099,133	
33	Jobs for Ala-		
34	bama's Gradu-		
35	ates (JAG) ...	913,338	
36	Virtual Library		
37	Project .....	3,368,768	
38	The State Department shall		
39	serve as the fiscal agent for		
40	the Virtual Library Project.		

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

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:		
2	(1) ETF .....	8,058,331	
3	(2) Federal and Local Funds .		424,595
4	Total Educational Television		
5	Commission .....	8,058,331	424,595
6	<b>13. Executive Commission on Com-</b>		
7	<b>munity Services Grants, State:</b>		
8	(a) Community Services Grants		
9	Program .....	9,113,389	9,113,389
10	Distributed pursuant to Sec-		
11	tion 29-2-123 of the Code of		
12	Alabama 1975, as amended.		
13	SOURCE OF FUNDS:		
14	(1) ETF .....	9,113,389	
15	The above appropriation shall		
16	be used for grants that pro-		
17	mote public education pur-		
18	poses.		
19	Total Executive Commission on		
20	Community Services Grants,		
21	State .....	9,113,389	9,113,389
22	<b>14. Family Practice Rural Health</b>		
23	<b>Board:</b>		
24	(a) Family Practice Rural		
25	Health Program .....	1,725,165	1,725,165
26			
27	SOURCE OF FUNDS:		
28	(1) ETF .....	1,725,165	
29	Total Family Practice Rural		
30	Health Board .....	1,725,165	1,725,165
31	Of the above appropriation, at		
32	least \$91,000 shall be ex-		
33	pended for the Auburn Rural		
34	Health Program; a minimum of		
35	\$91,000 shall be expended for		
36	the Tuskegee Area Health Edu-		
37	cation Center (TAHEC);		
38	\$491,400 shall be expended for		

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

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

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(b) Student Financial Aid Pro-		
2	gram .....	6,555,416	2,997,643
3	(1) Policeman's		
4	Survivor Tui-		
5	tion, Estimated		
6	.....	172,238	
7	To be expended under the pro-		
8	visions of Code of Alabama		
9	1975, Section 36-21-105.		
10	(2) Alabama Na-		
11	tional Guard		
12	Educational As-		
13	sistance Schol-		
14	arships .....	650,480	
15	To be expended in accordance		
16	with Code of Alabama 1975,		
17	Sections 31-10-1 through		
18	31-10-4 and Sections 31-10-20		
19	through 31-10-25.		
20	(3) Alabama		
21	Student Assis-		
22	tance Program	3,131,735	
23	In addition to the ETF appro-		
24	priation for the Alabama Stu-		
25	dent Assistance Program, any		
26	available funds as a result of		
27	the court ordered transfers		
28	from Knight vs. Alabama diver-		
29	sity scholarships are hereby		
30	appropriated and any carryover		
31	funds from these transfers are		
32	hereby reappropriated.		
33	(4) Educational		
34	Grants Program		
35	(Alabama Stu-		
36	dent Grant Pro-		
37	gram) .....	2,509,163	
38	To be expended in accordance		
39	with Code of Alabama 1975,		
40	Sections 16-33A-1 through		
41	16-33A-11. Private institu-		
42	tions receiving state grant		
43	funds under this provision		
44	make their best effort to use		
45	the equivalent of ten percent		
46	of Federal Work Study alloca-		
47	tions for the purpose of tu-		
48	toring and mentoring students		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	in grades K-12 to better pre-		
2	pare them for graduation, col-		
3	lege entry and retention. In-		
4	stitutions shall work with		
5	their respective governing		
6	boards to develop and imple-		
7	ment this effort.		
8	(5)		
9	Chiropractic		
10	Scholarships .	31,800	
11	To be expended in accordance		
12	with Code of Alabama 1975,		
13	Section 16-5-11.		
14	(6) Washington		
15	Center Intern-		
16	ship Program .	60,000	
17	(c) Support of Other Educa-		
18	tional Activities Program .	2,890,222	1,635,112
			4,525,334
19	The proposed spending plan for		
20	the ETF monies included in the		
21	above program is as follows:		
22	(1) Network of		
23	Alabama Aca-		
24	demic Libraries		
25	.....	349,735	
26	ACHE shall provide for the		
27	participation of Athens State		
28	University in the Network of		
29	Alabama Academic Libraries.		
30	(2) Southern		
31	Regional Educa-		
32	tion Board		
33	(SREB) .....	725,539	
34	(3) EPSCoR (Re-		
35	search) Program		
36	.....	1,327,074	
37	(4) Computer		
38	Based Articula-		
39	tion System ..	399,542	
40	To fund Troy University for		
41	developing and operating a		
42	statewide computer-based ar-		
43	ticulation system to serve all		
44	four-year and two-year		
45	postsecondary institutions in		
46	the State of Alabama.		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(5) School and		
2	University		
3	Partnership for		
4	Education Re-		
5	newal Program		
6	(SUPER) . . . . .	88,332	
7	(d) Support of State Universi-		
8	ties Program . . . . .	6,015,470	75,000
			6,090,470
9	The proposed spending plan for		
10	the ETF monies included in the		
11	above program is as follows:		
12	(1) Alabama Ag-		
13	ricultural Land		
14	Grant Alliance . . . . .	6,015,470	
15	Of the above appropriation to		
16	AALGA, at least \$3,932,441		
17	shall be equally distributed		
18	as a state match for federal		
19	funds for those institutions		
20	in the Alliance required to		
21	provide matching funds in or-		
22	der to obtain federal funds		
23	for the first time in fiscal		
24	year 2000. Of the above appro-		
25	priation, \$364,000 shall be		
26	allocated for the fruit and		
27	vegetable marketing initia-		
28	tive; \$200,000 shall be allo-		
29	cated for the Youth Partner-		
30	ship Program; and \$493,200		
31	shall be allocated for the		
32	McIntire-Stennis Forestry Re-		
33	search Initiative Matching		
34	Program.		
35	SOURCE OF FUNDS:		
36	(1) ETF . . . . .	18,396,009	
37	(2) Federal and Local Funds .		4,707,755
38	Total Higher Education, Ala-		
39	bama Commission on . . . . .	18,396,009	4,707,755
			23,103,764
40	In addition to the above ap-		
41	propriations, any scholarship		
42	funds transferred from the		
43	State Department of Education		
44	for the Alabama Teacher Re-		
45	recruitment Incentive Program		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(ATRIP) shall not revert and		
2	are hereby appropriated or		
3	reappropriated.		
4	<b>21. Human Resources, Department</b>		
5	<b>of:</b>		
6	(a) Human Services Program -		
7	Jobs Opportunities and Basic		
8	Skills Training (JOBS) Pro-		
9		4,921,537	4,921,537
	gram .....		
10	(b) Human Services Program -		
11	Jobs Child Care and After		
12		9,081,669	9,081,669
	School Child Care Program .		
13	Of the above appropriation,		
14	\$154,581 shall be expended for		
15	the Black Belt Eye Care Con-		
16	sortium.		
17	SOURCE OF FUNDS:		
18	(1) ETF-Transfer .....	14,003,206	
19	Total Human Resources, Depart-		
20	ment of .....	14,003,206	14,003,206
21	Of the above appropriation,		
22	\$983,322 is to be distributed		
23	to the day care centers in		
24	rural areas within the state		
25	for the dual purpose of pro-		
26	viding day care services to		
27	the working poor and provide		
28	state match to draw down addi-		
29	tional federal subsidy dol-		
30	lars. These funds shall be		
31	distributed based upon a mean-		
32	ingful formula, taking into		
33	account service delivery area,		
34	population, and the services		
35	required by the targeted cli-		
36	ents. \$983,322 shall be trans-		
37	ferred to the Department of		
38	Children Affairs for the ad-		
39	ministration of day care ser-		
40	vices in rural areas of the		
41	state.		
42	<b>22. Industrial Development Train-</b>		
43	<b>ing Institute, Alabama:</b>		
44	(a) Industrial Development and		
45		5,731,046	5,731,046
	Training Program .....		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (b) Industrial Training Pro-			
2 gram - Operations and Main-			
3 tenance .....	5,688,729		5,688,729
4 (c) Workforce Development ...	25,678,166		25,678,166
5 SOURCE OF FUNDS:			
6 (1) ETF .....	37,097,941		
7 Total Industrial Development			
8 Training Institute, Alabama .	37,097,941		37,097,941

9 The \$25,678,166 of funds ap-  
10 propriated for Workforce De-  
11 velopment are to be expended  
12 for those costs incurred by  
13 the State in honoring commit-  
14 ments to pay Workforce Devel-  
15 opment costs, including ser-  
16 vices and other assistance and  
17 expenses of recruitment and  
18 training of a company's  
19 workforce, that are undertaken  
20 to induce companies to locate  
21 or expand their operations in  
22 Alabama (described hereinafter  
23 as a "Project") and to develop  
24 and implement training, place-  
25 ment and recruitment programs  
26 that will improve, develop and  
27 expand the State's workforce.  
28 Such costs include, but are  
29 not limited to (i) AIDT oper-  
30 ating costs directly related  
31 to a Project; (ii) wages and  
32 benefits for trainers engaged  
33 by AIDT for the purpose of a  
34 Project; (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  
45 its vendors or suppliers, in-  
46 cluding wages, benefits and  
47 travel (domestic and, when



	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	the state. The Office of		
2	Workforce Development shall		
3	report quarterly to the Chairs		
4	of the Senate Committee on		
5	Finance and Taxation - Educa-		
6	tion and the House Committee		
7	on Education Appropriation and		
8	the Legislative Fiscal Officer		
9	on any funds allocated for		
10	workforce training. Such re-		
11	port shall include a summary		
12	of the persons trained and the		
13	vendors providing the train-		
14	ing. The reports shall contain		
15	information including resi-		
16	dence, race and gender of the		
17	persons trained and of the		
18	principal or majority owner of		
19	the firm or business con-		
20	tracted with to provide the		
21	training services.		
22	<b>23. Library Service, Alabama Pub-</b>		
23	<b>lic:</b>		
24	(a) Public Library Service		
25	Program .....	7,624,264	2,332,750
			9,957,014
26	Of the above appropriation, a		
27	minimum of \$4,496,645 is to be		
28	distributed to the public li-		
29	braries within the state and		
30	\$284,997 shall be expended for		
31	Homework Alabama.		
32	(b) Special Grant Program ...	514,146	514,146
33	SOURCE OF FUNDS:		
34	(1) ETF .....	8,138,410	
35	(2) Federal and Local Funds .		2,332,750
36	Total Library Service, Alabama		
37	Public .....	8,138,410	2,332,750
			10,471,160
38	<b>24. Marine Environmental Sciences</b>		
39	<b>Consortium/Dauphin Island Sea</b>		
40	<b>Lab:</b>		
41	(a) Support of Other Educa-		
42	tional Activities Program .	3,866,774	8,780,982
			12,647,756
43	Of the above appropriation,		
44	\$88,334 shall be expended for		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	the Mobile Bay National Estu-		
2	ary Program and \$88,334 shall		
3	be expended for the Missis-		
4	sippi-Alabama Sea Grant Con-		
5	sortium.		
6	SOURCE OF FUNDS:		
7	(1) ETF .....	3,866,774	
8	(2) Federal and Local Funds .		8,780,982
9	Total Marine Environmental		
10	Sciences Consortium/Dauphin		
11	Island Sea Lab .....	3,866,774	8,780,982
12	<b>25. Mathematics and Science, Ala-</b>		
13	<b>bama School of:</b>		
14	(a) Financial Assistance Pro-		
15	gram .....	6,348,405	1,204,000
16	SOURCE OF FUNDS:		
17	(1) ETF .....	6,348,405	
18	(2) Federal and Local Funds .		1,204,000
19	Total Mathematics and Science,		
20	Alabama School of .....	6,348,405	1,204,000
21	<b>26. Medical Scholarship Awards,</b>		
22	<b>Board of:</b>		
23	(a) Support of Other Educa-		
24	tional Activities Program .	1,149,109	400,000
25	To be expended under the pro-		
26	visions of the Code of Alabama		
27	1975, Sections 16-47-121		
28	through 16-47-129.		
29	SOURCE OF FUNDS:		
30	(1) ETF .....	1,149,109	
31	(2) Federal and Local Funds .		400,000
32	Total Medical Scholarship		
33	Awards, Board of .....	1,149,109	400,000
34	<b>27. Mental Health and Mental Re-</b>		
35	<b>tardation, Department of:</b>		
36	(a) Institutional Treatment		
37	and Care of Mental Illness	4,366,169	4,366,169

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Program .....		
2	(b) Institutional Treatment		
3	and Care of Mental Retarda-		
4			
		23,990,322	23,990,322
5	Of the above appropriation to		
6	the Department of Mental		
7	Health and Mental Retardation		
8	for the Mental Retardation		
9	Program, the sum of \$4,633,502		
10	shall be used to fund the		
11	ARC-type community-based pro-		
12	grams, including the Montgom-		
13	ery Institute for Neurological		
14	Development, for the mentally		
15	retarded and developmentally		
16	disabled in Alabama and the		
17	sum of \$473,335 shall be allo-		
18	cated to Camp ASCCA.		
19		1,076,369	1,076,369
20	SOURCE OF FUNDS:		
21		29,432,860	
22	Total Mental Health and Mental		
23		29,432,860	29,432,860
24			
25	<b>28. Nursing, Alabama Board of:</b>		
26	(a) Professional and Occupa-		
27	tional Licensing and Regula-		
28		257,000	257,000
29	The above appropriation shall		
30	be expended pursuant to the		
31	provisions of the Code of Ala-		
32	bama 1975, Sections 34-21-60		
33	through 34-21-63. Notwith-		
34	standing the limiting provi-		
35	sions of the Code of Alabama		
36	1975, Sections 34-21-60		
37	through 34-21-63, \$200,000 of		
38	the above appropriation shall		
39	be expended exclusively for		
40	scholarships for advanced de-		
41	grees to train instructors to		
42	teach nursing classes in Ala-		
43	bama colleges and universi-		
44	ties.		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	SOURCE OF FUNDS:		
2	(1) ETF .....	257,000	
3	Total Nursing, Alabama Board		
4	of .....	257,000	257,000
5	<b>29. Optometric Scholarship</b>		
6	<b>Awards, Board of:</b>		
7	(a) Support of Other Educa-		
8	tional Activities Program .	166,065	166,065
9	To be expended under the pro-		
10	visions of the Code of Alabama		
11	1975, Sections 34-22-60		
12	through 34-22-65.		
13	SOURCE OF FUNDS:		
14	(1) ETF .....	166,065	
15	Total Optometric Scholarship		
16	Awards, Board of .....	166,065	166,065
17	<b>30. Peace Officers' Standards and</b>		
18	<b>Training Commission, Alabama:</b>		
19	(a) Professional and Occupa-		
20	tional Licensing and Regula-		
21	tion Program .....	301,639	4,500,000
22	(b) Certified Law Enforcement		
23	Academy Program .....	413,852	450,000
24	Of the above appropriation for		
25	the Certified Law Enforcement		
26	Academy Program, \$413,852 of		
27	ETF monies included therein		
28	shall be expended as follows:		
29	Northeast Po-		
30	lice Academy .	107,601	
31	Alabama Peace		
32	Officers' Stan-		
33	dards and		
34	Training Com-		
35	mission Law En-		
36	forcement Acad-		
37	emy at		
38	Tuscaloosa ...	107,601	
39	Southwest Po-		
40	lice Academy .	107,601	
41	Alabama Police	57,940	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Academy .....		
2	Montgomery Po-		
3	lice Academy .	33,109	
4	SOURCE OF FUNDS:		
5	(1) ETF .....	715,491	
6	(2) Alabama Peace Officers'		
7	Standards and Training		
8	Fund-as provided in the Code		
9	of Alabama 1975, Sections		
10	36-21-40 through 36-21-51 .		4,950,000
11	Total Peace Officers' Stan-		
12	dards and Training Commission,		
13	Alabama .....	715,491	4,950,000
			5,665,491
14	<b>31. Penny Trust Fund - Buskey</b>		
15	<b>Matching Funds:</b>		
16	(a) Special Services Program,		
17	Estimated .....	380,829	380,829
18	SOURCE OF FUNDS:		
19	(1) ETF-Transfer .....	380,829	
20	Total Penny Trust Fund -		
21	Buskey Matching Funds .....	380,829	380,829
22	In accordance with Sections		
23	41-15A-10 through 41-15A-12,		
24	Code of Alabama 1975.		
25	<b>32. Physical Fitness, State Com-</b>		
26	<b>mission on:</b>		
27	(a) Advisory Services Program	915,138	18,846
28	SOURCE OF FUNDS:		
29	(1) ETF .....	915,138	
30	(2) Federal and Local Funds .		18,846
31	Total Physical Fitness, State		
32	Commission on .....	915,138	18,846
			933,984
33	<b>33. Public Health, Department of:</b>		
34	(a) Public Health Services		
35	Program .....	13,069,697	13,069,697
36	Of the above appropriation,		
37	\$12,698,697 shall be expended		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	for the continuation of the		
2	programs in Public School San-		
3	itation, licensure and certifi-		
4	cation, immunization activi-		
5	ties at the county level, pa-		
6	tient education and child		
7	health, immunization of		
8	pre-school children and stu-		
9	dents, dental health, tubercu-		
10	losis and nursing services,		
11	life skills educational train-		
12	ing in schools, vaccines to		
13	non-VFC-eligible children, and		
14	other public health purposes.		
15	Of the above appropriation,		
16	\$238,500 shall be expended for		
17	AIDS Alabama and \$132,500		
18	shall be expended for the Ala-		
19	bama Kidney Foundation.		
20	(b) Administration Services		
21	Program .....	1,057,449	1,057,449
22	(c) Continuing Education for		
23	EMT Personnel .....	1,638,000	1,638,000
24	With the above appropriation,		
25	the Department shall offer		
26	performance-based awards to		
27	regional EMS agencies for the		
28	purpose of providing continu-		
29	ing education to EMTs and		
30	strengthening the EMS infra-		
31	structure.		
32	SOURCE OF FUNDS:		
33	(1) ETF .....	15,765,146	
34	Total Public Health, Depart-		
35	ment of .....	15,765,146	15,765,146
36			
37	<b>34. Rehabilitation Services, De-</b>		
38	<b>partment of:</b>		
39	(a) Direct Client Services for		
40	the Handicapped Program ...	37,017,375	125,488,019
41	The proposed spending plan for		
42	the ETF monies included in the		
43	above program is as follows:		
44	Homebound ....	5,308,436	

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Hemophilia ...	1,378,829		
2	Children's Re-			
3	habilitation			
4	Services .....	11,660,252		
5	Of the above appropriation the			
6	agency will pay to each hospi-			
7	tal the standard per diem paid			
8	by the state Medicaid Agency			
9	for services relating to			
10	scoliosis and spina bifida			
11	medical care.			
12	Education of			
13	Dependents of			
14	Blind Parents	11,497		
15	The above appropriation shall			
16	be allocated for reimbursement			
17	to every state institution of			
18	higher learning, college, uni-			
19	versity, community college, or			
20	junior college, in which bene-			
21	fits are given to dependents			
22	of blind parents under the			
23	provisions of Code of Alabama			
24	1975, Sections 16-33-1 through			
25	16-33-12.			
26	Rehabilitation			
27	Services .....	11,215,194		
28	Of the above appropriation,			
29	\$100,000 shall be expended for			
30	Teaching Children With Dis-			
31	abilities			
32	Early Interven-			
33	tion Program .	6,087,447		
34	Respite Related			
35	Services and			
36	Training .....	44,166		
37	Rehabilitation			
38	Projects .....	1,311,554		
39	SOURCE OF FUNDS:			
40	(1) ETF .....	37,017,375		
41	(2) Federal Stimulus Funds,			
42	estimated .....		10,106,848	
43	(3) Federal and Local Funds .		113,662,333	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(4) Impaired Drivers Trust		
2	Fund .....	1,718,838	
3	Total Rehabilitation Services,		
4	Department of .....	37,017,375	125,488,019
			162,505,394
5	The above appropriation to the		
6	Department of Rehabilitation		
7	Services - Rehabilitation Pro-		
8	jects may be used to contract		
9	with providers of cerebral		
10	palsy services.		
11	<b>35. Sickle Cell Oversight and</b>		
12	<b>Regulatory Commission, Ala-</b>		
13	<b>bama:</b>		
14	(a) Support of Other Educa-		
15	tional Activities Program .	1,454,190	1,454,190
16	Of the above appropriation to		
17	the Alabama Sickle Cell and		
18	Regulatory Commission, the sum		
19	of \$30,916 shall be used to		
20	fund travel and other expenses		
21	of the Alabama Sickle Cell		
22	Oversight and Regulatory Com-		
23	mission and \$1,423,274 shall		
24	be used to fund university and		
25	community-based Sickle Cell		
26	programs which were funded		
27	from the ETF budget in FY		
28	2000. These funds shall be		
29	distributed proportionately to		
30	the distribution made in FY		
31	2003.		
32	SOURCE OF FUNDS:		
33	(1) ETF .....	1,454,190	
34	Total Sickle Cell Oversight		
35	and Regulatory Commission,		
36	Alabama .....	1,454,190	1,454,190
37	<b>36. Space Science Exhibit Commis-</b>		
38	<b>sion, Alabama:</b>		
39	(a) Special Services Program	574,159	27,707,000
			28,281,159
40	SOURCE OF FUNDS:		
41	(1) ETF .....	574,159	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(2) Federal and Local Funds .	27,707,000	
2	Total Space Science Exhibit		
3	Commission, Alabama .....	574,159	28,281,159
4	<b>37. Supercomputer Authority, Ala-</b>		
5	<b>bama:</b>		
6	(a) Information Technology		
7	Services Program .....	5,669,564	8,817,017
8	The above appropriation is to		
9	be expended in accordance with		
10	Sections 41-10-390 through		
11	41-10-406, Code of Alabama		
12	1975.		
13	SOURCE OF FUNDS:		
14	(1) ETF-Transfer .....	5,669,564	
15	(2) Supercomputer Revolving		
16	Fund, Estimated .....		3,147,453
17	Total Supercomputer Authority,		
18	Alabama .....	5,669,564	8,817,017
19			
20	<b>38. Veterans' Affairs, Department</b>		
21	<b>of:</b>		
22	(a) Administration of Veter-		
23	ans' Affairs Program .....	2,962,372	2,962,372
24	(b) Student Financial Aid Pro-		
25	gram, Estimated .....	18,600,366	18,600,366
26	For reimbursement to every		
27	state institution of higher		
28	learning, college, university,		
29	community college, junior col-		
30	lege or technical college in		
31	which benefits are given to		
32	veterans, their spouses, wid-		
33	ows, or children under the		
34	provisions of Code of Alabama		
35	1975, Sections 31-6-1 through		
36	31-6-17.		
37	SOURCE OF FUNDS:		
38	(1) ETF .....	21,562,738	
39	Total Veterans' Affairs, De-		
40	partment of .....	21,562,738	21,562,738

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	<b>39. Youth Services, Department</b>		
2	<b>of:</b>		
3	(a) Financial Assistance Pro-		
4	gram (School District) ....		
	7,661,876	1,094,004	8,755,880
5	The above appropriation shall		
6	be expended by the Youth Ser-		
7	vices Department District in a		
8	manner consistent with the		
9	funding formula cooperatively		
10	established by the Youth Ser-		
11	vices Board and the State		
12	Board of Education pursuant to		
13	the provisions of the Code of		
14	Alabama 1975, Sections 44-1-70		
15	through 44-1-77.		
16	(b) Youth Services Program ..		
	49,915,142	15,718,148	65,633,290
17	(c) Capital Outlay Program ..		
		2,850,000	2,850,000
18	(d) Community Educational		
19	(C.I.T.Y.) Programs .....		
	5,219,437		5,219,437
20	SOURCE OF FUNDS:		
21	(1) ETF .....		
	62,796,455		
22	(2) Federal Stimulus Funds,		
23	estimated .....		
		930,476	
24	(3) Federal and Local Funds .		
		18,731,676	
25	Total Youth Services, Depart-		
26	ment of .....		
	62,796,455	19,662,152	82,458,607
27	<b>3C. Colleges and Universities:</b>		
28	<b>1. Alabama Agricultural and</b>		
29	<b>Mechanical University, Board</b>		
30	<b>of Trustees:</b>		
31	(a) Operations and Maintenance		
32	and Program Support .....		
	34,098,962	48,771,648	82,870,610
33	Of the above appropriation,		
34	\$44,167 shall be expended for		
35	the Black Archives Museum.		
36	(b) Extension-Urban Affairs		
37	and Non-Traditional Land		
38	Grant Programs .....		
	3,932,021		3,932,021
39	Pursuant to Knight v. Alabama		
40	Final Settlement Agreement.		
41	(c) Agricultural Research Sta-		
	291,210		291,210

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	tion Fixed Costs .....		
2	Pursuant to Knight v. Alabama		
3	Final Settlement Agreement.		
4		11,532,127	11,532,127
5		32,826,419	32,826,419
6			
7	1,326,383		1,326,383
8	SOURCE OF FUNDS:		
9	39,648,576		
10			
11		3,360,117	
12		89,770,077	
13	Total Alabama Agricultural and		
14	Mechanical University, Board		
15	39,648,576	93,130,194	132,778,770
16	<b>2. Alabama A and M University,</b>		
17	<b>Board of Trustees-Miles Col-</b>		
18	<b>lege Consortium:</b>		
19			
20			
21	400,367		400,367
22	SOURCE OF FUNDS:		
23	400,367		
24	Total Alabama A and M Univer-		
25	sity, Board of Trustees-Miles		
26	400,367		400,367
27	<b>3. Alabama State University,</b>		
28	<b>Board of Trustees:</b>		
29			
30	43,290,297	53,745,127	97,035,424
31	The above appropriation for		
32	Operations and Maintenance		
33	includes funds for Health In-		
34	formation Management, Occupa-		
35	tional Therapy, Physical Ther-		
36	apy Programs, Title VI Program		
37	Enhancement, and Desegregation		
38	Planning pursuant to the		
39	Knight vs Alabama Final Set-		
40	tlement Agreement. Of the		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	above appropriation,		
2	\$1,250,000 shall be expended		
3	for Cooperative Efforts to		
4	Enhance Community Educational		
5	Institutions; \$541,669 shall		
6	be expended for the Minority		
7	Technology Network and Center		
8	for Public Policy; and		
9	\$476,667 shall be expended for		
10	building renovations.		
11	(b) Auxiliary Enterprises ...	10,049,574	10,049,574
12	(c) Restricted Funds .....	37,708,036	37,708,036
13	SOURCE OF FUNDS:		
14	(1) ETF .....	43,290,297	
15	(2) Federal Stimulus Funds,		
16	estimated .....	3,259,875	
17	(3) Federal and Other Funds .	98,242,862	
18	Total Alabama State Univer-		
19	sity, Board of Trustees .....	43,290,297	144,793,034
20	<b>4. Alabama, University of,</b>		
21	<b>Board of Trustees:</b>		
22	(a) Operations and Maintenance		
23	and Program Support for the		
24	University of Alabama at		
25	Tuscaloosa .....	153,083,807	428,734,007
26	The President of the Univer-		
27	sity of Alabama shall imple-		
28	ment a Workforce Development		
29	plan utilizing the existing		
30	Minority Technology Network.		
31	Of the above appropriation to		
32	the University of Alabama at		
33	Tuscaloosa, \$176,667 shall be		
34	expended for the Special Out-		
35	reach Program; and \$220,834		
36	shall be expended for the Ala-		
37	bama Center for Civic Life		
38	(the David Matthews Center).		
39	(b) Operations and Maintenance		
40	and Program Support for the		
41	University of Alabama at		
42	Birmingham .....	274,654,620	1,715,967,404
43	Of the above appropriation,		
44	\$441,668 shall be expended for		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	the Minority Business Train-		
2	ing-Economic Development Pro-		
3	gram; \$132,501 shall be ex-		
4	pended for the Gregory Fleming		
5	James Cystic Fibrosis Program;		
6	\$154,584 shall be expended for		
7	the High School Athletic		
8	Training Program; and \$250,000		
9	for the Diabetes Research Pro-		
10	gram.		
11	(c) Operations and Maintenance		
12	and Program Support for the		
13	University of Alabama in		
14	Huntsville .....	47,594,061	61,163,326
			108,757,387
15	Of the above appropriation		
16	\$2,000,000 shall be expended		
17	for curriculum development,		
18	research support, and special-		
19	ized equipment for Robotics		
20	and Controls Research and Edu-		
21	cation; and \$100,000 shall be		
22	expended for the Climatology		
23	Program.		
24	(d) Special Mental Health and		
25	Chauncey Sparks Center for		
26	Developmental and Learning		
27	Disorders, University of		
28	Alabama at Birmingham .....	3,797,132	3,797,132
29			
30	(e) School of Optometry		
31	Fund-Transfer to University		
32	of Alabama at Birmingham		
33	School of Optometry, esti-		
34	imated .....		70,000
			70,000
35	(f) Auxiliary Enterprises ...		127,576,454
			127,576,454
36	(g) Restricted Funds .....		542,052,843
			542,052,843
37	(h) University of Alabama at		
38	Birmingham Cancer Center ..	4,516,609	4,516,609
39	SOURCE OF FUNDS:		
40	(1) ETF .....	483,646,229	
41	(2) Federal Stimulus Funds,		
42	estimated .....		43,794,937
43	(3) Federal and Other Funds .		2,404,030,670

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Total Alabama, University of,		
2	Board of Trustees .....		
	483,646,229	2,447,825,607	2,931,471,836
3	<b>5. Auburn University, Board of</b>		
4	<b>Trustees:</b>		
5	(a) Operations and Maintenance		
6	and Program Support, Auburn		
7	University .....		
	168,730,834	328,317,143	497,047,977
8	Of the above appropriation,		
9	\$119,248 shall be expended to		
10	provide economic research ser-		
11	vices to the State of Alabama,		
12	Department of Finance; \$66,250		
13	shall be expended for the		
14	Jules Collins Smith Art Mu-		
15	seum; \$44,166 shall be ex-		
16	pended for the Ralph Brown		
17	Draughon Library; and \$100,000		
18	shall be expended for Special		
19	Outreach.		
20	(b) Auxiliary Enterprises ...		
		100,144,790	100,144,790
21	(c) Restricted Funds .....		
		157,570,228	157,570,228
22	(d) Operations and Maintenance		
23	and Program Support, Alabama		
24	Agricultural Experiment Sta-		
25	tion .....		
	32,398,080	8,717,905	41,115,985
26	Of the above appropriation,		
27	\$158,998 shall be expended for		
28	fire ant eradication/research		
29	at the Department of Entomol-		
30	ogy. Of the above appropria-		
31	tion, \$44,166 shall be ex-		
32	pended for poultry research.		
33	(e) Operations and Maintenance		
34	and Program Support, Alabama		
35	Cooperative Extension System		
36	.....		
	34,373,691	3,625,026	37,998,717
37	(f) Operations and Maintenance		
38	and Program Support, Auburn		
39	University at Montgomery .		
	25,240,856	28,562,211	53,803,067
40	Of the above appropriation to		
41	Auburn University at Montgom-		
42	ery, \$298,025 shall be ex-		
43	pended for the Statewide Eco-		
44	nomic Resources Initiative		
45	Education Support		
46	(S.E.R.I.E.S.) Program to pro-		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	vide a statewide economic im-		
2	pact education support system		
3	dedicated to providing techno-		
4	logical capabilities to gov-		
5	ernment agencies; \$119,248		
6	shall be expended for the fur-		
7	ther implementation of SMART		
8	Governing; \$119,248 shall be		
9	expended for the GAAT/CPM Pro-		
10	gram; \$176,668 shall be ex-		
11	pended for the Judicial Col-		
12	lege; and \$600,000 shall be		
13	expended for the Senior Re-		
14	source Center.		
15	SOURCE OF FUNDS:		
16	(1) ETF .....	260,743,461	
17	(2) Federal Stimulus Funds,		
18	estimated .....		25,883,408
19	(3) Federal and Other Funds .		601,053,895
20	Total Auburn University, Board		
21	of Trustees .....	260,743,461	626,937,303
22	<b>6. Education, State Board of -</b>		
23	<b>Athens State University:</b>		
24	(a) Operations and Maintenance		
25	and Program Support .....	12,045,576	12,889,048
26			24,934,624
27	(b) Auxiliary Enterprises ...		83,000
28	(c) Restricted Funds .....		18,832,344
29	SOURCE OF FUNDS:		
30	(1) ETF .....	12,045,576	
31	(2) Federal Stimulus Funds,		
32	estimated .....		964,566
33	(3) Federal and Other Funds .		30,839,826
34	Total Education, State Board		
35	of - Athens State University	12,045,576	31,804,392
36	<b>7. Jacksonville State Univer-</b>		
37	<b>sity, Board of Trustees:</b>		
38	(a) Operations and Maintenance		
39	and Program Support .....	39,309,747	54,452,488
			93,762,235

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Of the above appropriation,		
2	\$1,324,983 shall be expended		
3	by the Alabama Small Business		
4	Institute of Commerce;		
5	\$220,830 shall be expended for		
6	the Wellness Initiative; and		
7	\$220,834 shall be expended for		
8	the Little River Canyon Field		
9	School.		
10	(b) Auxiliary Enterprises ...	5,507,379	5,507,379
11	(c) Restricted Funds .....	4,231,485	4,231,485
12	(d) Alabama Film Initiative		
13	Program .....	500,000	500,000
14	SOURCE OF FUNDS:		
15	(1) ETF .....	39,809,747	
16	(2) Federal Stimulus Funds,		
17	estimated .....	3,343,660	
18	(3) Federal and Other Funds .	60,847,692	
19	Total Jacksonville State Uni-		
20	versity, Board of Trustees ..	39,809,747	104,001,099
21	<b>8. Montevallo, University of,</b>		
22	<b>Board of Trustees:</b>		
23	(a) Operations and Maintenance		
24	and Program Support .....	19,235,561	41,130,756
25	(b) Auxiliary Enterprises ...	4,486,274	4,486,274
26	(c) Restricted Funds .....	10,618,810	10,618,810
27	SOURCE OF FUNDS:		
28	(1) ETF .....	19,235,561	
29	(2) Federal Stimulus Funds,		
30	estimated .....	1,615,160	
31	(3) Federal and Other Funds .	35,385,119	
32	Total Montevallo, University		
33	of, Board of Trustees .....	19,235,561	56,235,840
34	<b>9. North Alabama, University</b>		
35	<b>of, Board of Trustees:</b>		
36	(a) Operations and Maintenance		
37	and Program Support .....	27,140,713	65,334,026
38	(b) Auxiliary Enterprises ...	9,391,399	9,391,399

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(c) Restricted Funds .....	6,026,000	6,026,000
2	SOURCE OF FUNDS:		
3	(1) ETF .....	27,140,713	
4	(2) Federal Stimulus Funds,		
5	estimated .....	2,214,246	
6	(3) Federal and Other Funds .	51,396,466	
7	Total North Alabama, Univer-		
8	sity of, Board of Trustees ..	27,140,713	53,610,712
9	<b>10. South Alabama, University of,</b>		
10	<b>Board of Trustees:</b>		
11	(a) Operations and Maintenance		
12	and Program Support .....	108,132,145	417,297,200
13	(b) Auxiliary Enterprises ...		19,274,116
14	(c) Restricted Funds .....		50,662,500
15	SOURCE OF FUNDS:		
16	(1) ETF .....	108,132,145	
17	(2) Federal Stimulus Funds,		
18	estimated .....	10,768,819	
19	(3) Federal and Other Funds .	476,464,997	
20	Total South Alabama, Univer-		
21	sity of, Board of Trustees ..	108,132,145	487,233,816
22	<b>11. Troy University, Board of</b>		
23	<b>Trustees:</b>		
24	(a) Operations and Maintenance		
25	and Program Support .....	48,742,171	170,908,710
26	Of the above appropriation,		
27	\$144,166 shall be expended for		
28	the Interpreter's Program;		
29	\$44,166 shall be expended for		
30	the Center for International		
31	Business and Economic Develop-		
32	ment; and \$44,166 shall be		
33	expended as an additional al-		
34	location for the Phenix City		
35	Campus.		
36	(b) Auxiliary Enterprises ...		14,141,880
37	(c) Restricted Funds .....		13,762,283
38	SOURCE OF FUNDS:		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF .....	48,742,171		
2	(2) Federal Stimulus Funds,			
3	estimated .....		4,599,282	
4	(3) Federal and Other Funds .		194,213,591	
5	Total Troy University, Board			
6	of Trustees .....	48,742,171	198,812,873	247,555,044
7	<b>12. West Alabama, University of,</b>			
8	<b>Board of Trustees:</b>			
9	(a) Operations and Maintenance			
10	and Program Support .....	14,073,524	12,160,234	26,233,758
11	Of the above appropriation,			
12	\$769,743 shall be expended for			
13	the Alabama Medical Education			
14	Consortium; \$220,834 shall be			
15	expended for the Economic and			
16	Small Business Development			
17	Program; \$110,417 for the Re-			
18	gional Wellness and Fitness			
19	Center; \$39,750 shall be ex-			
20	pended for the National Young			
21	Farmers Education Association;			
22	and \$250,751 shall be expended			
23	for the Black Belt Treasures			
24	Initiative.			
25	(b) Auxiliary Enterprises ...		3,789,142	3,789,142
26	(c) Restricted Funds .....		633,139	633,139
27	SOURCE OF FUNDS:			
28	(1) ETF .....	14,073,524		
29	(2) Federal Stimulus Funds,			
30	estimated .....		1,203,971	
31	(3) Federal and Local Funds .		15,378,544	
32	Total West Alabama, University			
33	of, Board of Trustees .....	14,073,524	16,582,515	30,656,039
34	<b>3D. Other:</b>			
35	<b>1. Deaf and Blind, Alabama In-</b>			
36	<b>stitute for, Board of Trust-</b>			
37	<b>ees:</b>			
38	(a) Adult Programs .....	10,107,689	7,618,145	17,725,834
39	(b) Children and Youth Pro-	27,884,350	4,275,733	32,160,083

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	grams .....		
2	(c) Industries for the Blind	8,613,302	23,091,833
3	SOURCE OF FUNDS:		
4	(1) ETF .....	46,605,341	
5	(2) Federal and Other Funds .		34,985,711
6	Total Deaf and Blind, Alabama		
7	Institute for, Board of Trust-		
8	ees .....	46,605,341	34,985,711
9	<b>2. Knight v. Alabama - Finan-</b>		
10	<b>cial Obligations:</b>		
11	(a) Support of State Universi-		
12	ties Program, Estimated ...	10,728,571	10,728,571
13	Pursuant to the Settlement		
14	Agreement and Final Order in		
15	the Knight v. Alabama case		
16	CV-83-M-1676, the appropria-		
17	tion above includes the fol-		
18	lowing:		
19	Alabama State		
20	University		
21	-Trust for Edu-		
22	cational Excel-		
23	lence .....	1,000,000	
24	Alabama State		
25	University		
26	-Trust for Edu-		
27	cational Excel-		
28	lence Matching		
29	Funds of up to		
30	.....	1,000,000	
31	To provide up to \$1,000,000 to		
32	the extent same has been		
33	matched by gifts, grants, and		
34	contributions to the Trust.		
35	Alabama A & M		
36	University		
37	-Trust for Edu-		
38	cational Excel-		
39	lence .....	1,000,000	
40	Alabama A & M		
41	University		
42	-Trust for Edu-		
43	cational Excel-		
44	lence Matching	1,000,000	

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

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	PhD in Microbi-		
2	ology	1,335,602	
3	Based on funding formula cal-		
4	culations provided by the Ala-		
5	bama Commission on Higher Edu-		
6	cation. This appropriation is		
7	the fourth year of eight years		
8	of funding for this program.		
9	Two-Year		
10	Postsecondary		
11	Department, Al-		
12	abama A&M - Al-		
13	abama State		
14	University		
15	Transfer Schol-		
16	arship Program,		
17	Estimated	1,000,000	
18	SOURCE OF FUNDS:		
19	(1) ETF .....	10,728,571	
20	Total Knight v. Alabama - Fi-		
21	ncial Obligations .....	10,728,571	10,728,571
22	To be allocated and expended		
23	in accordance with the Final		
24	Order and Settlement Agreement		
25	in Knight v. Alabama, Civil		
26	Action CV 83-M-1676, 900 F		
27	Supp 272.		

28                   Section 4. In addition to all other appropriations,  
29 there is hereby appropriated \$8,940,252 from the Education  
30 Trust Fund representing the remaining 50% of the interest in-  
31 come accumulated at the rate of 6% from FY 1992 through FY  
32 2002 for the K-12 school systems that did not receive alloca-  
33 tions of interest from their Sixteenth Section Land Grants  
34 held in trust by the State of Alabama, to be conditioned upon  
35 the availability of funds, the recommendation of the Finance

1 Director, and approval of the Governor. This conditional ap-  
2 propriation is pursuant to the Class Settlement Agreement  
3 signed by the Covington County Circuit Court on December 9,  
4 2004.

Distribution of

5	School System Name	Interest
6	Autauga County	\$2,152
7	Baldwin County	55,478
8	Barbour County	341
9	Bibb County	13,475
10	Blount County	5,573
11	Calhoun County	567,608
12	Piedmont City	120
13	Cherokee County	35,893
14	Chilton County	19,172
15	Choctaw County	254,676
16	Clarke County	265,845
17	Thomasville City	17,620
18	Clay County	273
19	Cleburne County	1,819

1	Coffee County	15,199
2	Elba City	303
3	Enterprise City	271
4	Colbert County	862,096
5	Muscle Shoals City	58,834
6	Sheffield City	10,699
7	Tuscumbia City	56,553
8	Conecuh County	46
9	Coosa County	7,812
10	Covington County	1,335,886
11	Andalusia City	188,267
12	Opp City	161,250
13	Cullman County	95,546
14	Dale County	1,177
15	Daleville City	892
16	Dallas County	2,471
17	Selma City	1,266
18	DeKalb County	16,101
19	Fort Payne City	1,420

1	Elmore County	19,248
2	Tallassee City	1,156
3	Escambia County	249,835
4	Brewton City	20,523
5	Etowah County	107
6	Gadsden City	29
7	Fayette County	29,036
8	Franklin County	622,371
9	Russellville City	130,179
10	Geneva County	510,370
11	Geneva City	41,626
12	Greene County	258,426
13	Hale County	19,343
14	Henry County	32,646
15	Houston County	107,277
16	Dothan City	649
17	Jackson County	123,983
18	Scottsboro City	2,034
19	Jefferson County	1,320,529

1	Birmingham City	297
2	Lamar County	1,621
3	Lauderdale County	271,761
4	Florence City	18,953
5	Lawrence County	5,169
6	Limestone County	285
7	Athens City	6,630
8	Lowndes County	1,210
9	Macon County	13,766
10	Madison County	61
11	Huntsville City	522
12	Madison City	108
13	Marengo County	113,077
14	Demopolis City	2,559
15	Linden City	36,318
16	Marion County	343,220
17	Winfield City	31,151
18	Marshall County	11,001
19	Guntersville City	102

1	Monroe County	10,760
2	Montgomery County	117
3	Morgan County	603
4	Decatur City	66,869
5	Perry County	2,074
6	Pickens County	1,717
7	Pike County	83
8	Randolph County	6,074
9	Roanoke City	852
10	Russell County	107
11	Phenix City	21
12	Saint Clair County	22,582
13	Pell City	89
14	Shelby County	6,914
15	Sumter County	41,067
16	Talladega County	201
17	Sylacauga City	48
18	Talladega City	28
19	Tallapoosa County	15

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

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

13	Entity	Appropriation
14	a. Department of Education-for the Al- abama Reading Initiative	\$5,000,000
15	b. Department of Education-for the Al- abama Math/Science/Technology Ini- tiative	\$11,830,455
16	c. Department of Education-for Dis- tance Learning (ACCESS)	\$5,361,024
17	d. Foundation Program/Local Boards of	\$20,000,000

Education - Other Current Expense

Foundation Program/Local Boards of

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

Department of Education-for Ad-

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

Department of Education-Teacher Re-

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

Department of Education-Teacher

21 h. Mentoring \$1,442,500

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

33 Section 7. The appropriations made herein to an  
34 agency or entity are for the valid purposes and/or operation  
35 and maintenance of that agency or entity. There shall be no  
36 pass-through appropriation by that agency or entity at the

1 direction of any member of the legislative, executive or  
2 judicial branch of government. The director of any agency or  
3 entity that is directed by a member of the legislative,  
4 executive or judicial branch of government to pass-through an  
5 appropriation to another state or non-state entity shall  
6 report such directive to the Chairs of the House Education  
7 Appropriations Committee and the Senate Finance and  
8 Taxation-Education Committee. Nothing in this section is  
9 intended to prohibit a legislator or any other person from  
10 asking for or asking about the status of a project that falls  
11 within the legal purpose or function of that agency.

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

1 said agency. All such sums are hereby appropriated and  
2 reappropriated if necessary to the Department of Examiners of  
3 Public Accounts for audit services, to be expended through the  
4 fund established by Section 41-5-24, Code of Alabama 1975.

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

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

26 Section 11. The appropriations made herein to the  
27 departments, boards, offices, commissions, and agencies

1 include the amount necessary and said departments, boards,  
2 offices, commissions, and agencies are hereby directed to make  
3 the transfer of funds to the State Personnel Department in the  
4 amounts enumerated in the general appropriations act for the  
5 fiscal year ending September 30, 2010. All agencies and  
6 institutions enumerated in this act that receive services from  
7 other governmental agencies enumerated in this act or the  
8 general appropriations act shall make full payment in a timely  
9 manner (as determined by the Department of Finance) for such  
10 services.

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

19 Section 13. Upon certification to the Director of  
20 Finance by the State Attorney General that a federal court has  
21 ordered the State of Alabama to pay claims, attorney fees, or  
22 other costs relating to said court order, funds are hereby  
23 appropriated to the affected department, board, bureau, or  
24 commission in the amount necessary to satisfy that court  
25 order. Such appropriations are in addition to any other  
26 appropriation heretofore or hereafter made in this  
27 appropriation act. Such appropriations are conditioned upon

1 the availability of funds and a determination by the Director  
2 of Finance that other current appropriations are not available  
3 for court-ordered payments.

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

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

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

24 Section 16. No funds provided herein for the public  
25 schools shall be used for the payment of any salaries of  
26 personnel which are not under the direct control, employment,  
27 and supervision of local boards of education; provided,

1       however, that this section shall not apply to the  
2       construction, renovation, or major repair of buildings or  
3       other capital improvements which are beyond the capacity of  
4       regular employees to perform.

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

9               Section 18. Notwithstanding any other provisions of  
10      this act or any other act, any amount from appropriations for  
11      the fiscal year ending September 30, 2009 to the various state  
12      agencies and institutions in this act which are unexpended and  
13      reverted on September 30, 2009 are hereby reappropriated to  
14      the respective offices for the fiscal year beginning October  
15      1, 2009.

16              Section 19. The Department of Finance may charge  
17      agencies and other recipients of federal stimulus funds for  
18      the cost of administering the American Recovery and  
19      Reinvestment Act of 2009, to be paid by such agencies and  
20      recipients from federal stimulus funds.

21              Section 20. If any section, paragraph, sentence,  
22      clause, provision or portion of this act or all or any portion  
23      of the appropriations herein made is held unconstitutional or  
24      invalid, it shall not affect any other section, paragraph,  
25      sentence, clause, provision or portion of this act or any  
26      other appropriation or appropriations or portion thereof  
27      hereby made not in and of itself unconstitutional or invalid.

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

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

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Senate

Read for the first time and referred to the Senate  
committee on Finance and Taxation Education ..... 07-APR-09

Read for the second time and placed on the calen-  
dar ..... 16-APR-09

Read for the third time and passed as amended ... 21-APR-09

Yeas 32  
Nays 0

McDowell Lee  
Secretary