

1 SB51
2 102600-5
3 By Senator Sanders
4 RFD: Finance and Taxation Education
5 First Read: 27-MAY-08

1 SB51

2

3

4 ENROLLED, An Act,

5 To make appropriations for the support, maintenance
6 and development of public education in Alabama, for debt
7 service, and for capital outlay for the fiscal year ending
8 September 30, 2009.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. There is hereby appropriated for the
11 support of public education in Alabama for the fiscal year
12 ending September 30, 2009, for debt service, and for capital
13 outlay to be paid out of funds specified in subsection (a) of
14 Section 2 of this act, the amounts specified in subsections
15 (a), (b), (c), and (d) of Section 3 of this act. For the
16 purpose specified in subsection (b) of Section 2 of this act,
17 amounts are shown by programmatic area and the total for all
18 programs is shown so as to include estimated sources of funds
19 other than those listed in subsection (a) of Section 2 of this
20 act. For the purpose of this act, "ETF" shall mean the
21 Education Trust Fund and "Federal and Local Funds" shall mean
22 all gifts, grants, contributions, or entitlements, including
23 grants by the Congress of the United States, municipalities or
24 counties.

Section 2. (a) The appropriations provided for in this act shall be paid from funds in the State Treasury to the credit of the Education Trust Fund, Alabama Peace Officers' Standards and Training Fund, Impaired Drivers Trust Fund, Driver Education and Training Fund, Special Education Catastrophic Fund, Alabama Veterans Assistance Fund, and Public School Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 2009, and the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Code of Alabama 1975, Sections 41-4-80 et seq.), the provisions of the Budget Management Act of 1976 (Code of Alabama 1975, Sections 41-19-1 et seq.), and shall be in the amounts hereinafter specified.

(b) Amounts shown hereinunder the columns "Earmarked Funds" and "Appropriation Total" are as set forth for the purpose of establishing amounts estimated to be available by programmatic area from sources other than those listed in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for an efficient use of funds available, and the same are hereby appropriated by the Legislature.

Provided, however, that regardless of the ending date of any pay period which has been or may be established by the

1 Legislature for the payment of salaries of state employees,
 2 the entire payment due shall be made from the fiscal year's
 3 appropriation in which the pay date falls.

4 Section 3.

	Education Trust Fund	Earmarked Funds	Appropriation Total
3A. Legislative Branch:			
1	1. Examiners of Public Ac- counts:		
2	(a) Audit Services Program ..	7,370,405	7,370,405
10 SOURCE OF FUNDS:			
11	(1) ETF	7,370,405	
12	Total Examiners of Public Ac- counts	7,370,405	7,370,405
13			
14	The above appropriation shall 15 be used for educational au- 16 diits. 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.		
27	2. Law Institute, Alabama:		
28	(a) Support of Other Educa- 29 tional Activities Program ..	270,738	270,738
30	SOURCE OF FUNDS:		
31	(1) ETF	270,738	
32	Total Law Institute, Alabama	270,738	270,738
33	3. Legislative Fiscal Office:		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(a) Legislative Operations and Support Program	285,405	285,405
2	SOURCE OF FUNDS:		
3	(1) ETF	<u>285,405</u>	
4	Total Legislative Fiscal Of- fice	<u>285,405</u>	285,405
5			
6			
7	4. Legislative Reference Ser- vice:		
8	(a) Legislative Operations and Support Program	107,657	107,657
9	SOURCE OF FUNDS:		
10	(1) ETF	<u>107,657</u>	
11	Total Legislative Reference Service	<u>107,657</u>	107,657
12			
13			
14			
15	This appropriation to the Leg- islative Reference Service		
16	shall be expended for the re- vision of Title 16 of the Code		
17	of Alabama 1975.		
18			
19			
20	3B. Executive Branch:		
21	1. American Legion and Auxil- iary Scholarships:		
22	(a) Financial Assistance Pro- gram, Estimated	112,500	112,500
23	SOURCE OF FUNDS:		
24	(1) ETF	<u>112,500</u>	
25	Total American Legion and Aux- iliary Scholarships	<u>112,500</u>	112,500
26			
27			
28			
29	To be expended under the pro- visions of Code of Alabama		
30	1975, Sections 16-31-1 through		
31	16-31-4.		
32			
33	2. Archives and History, De- partment of:		
34	(a) Historical Resources Man-	3,604,444	3,604,444
35			

		Education Trust Fund	Earmarked Funds	Appropriation Total
1	agement Program			
2	SOURCE OF FUNDS:			
3	(1) ETF	3,604,444		
4	Total Archives and History, 5 Department of	3,604,444		3,604,444
6	The above appropriation shall 7 be expended to support the 8 educational functions of Ar- 9 chives and History.			
10	3. Arts, State Council on the:			
11	(a) Fine Arts Program	5,437,511	680,000	6,117,511
12	SOURCE OF FUNDS:			
13	(1) ETF	5,437,511		
14	(2) Federal and Local Funds		680,000	
15	Total Arts, State Council on 16 the	5,437,511	680,000	6,117,511
17	4. Building Commission, State:			
18	(a) Special Services Program	643,132		643,132
19	SOURCE OF FUNDS:			
20	(1) ETF-Transfer	643,132		
21	Total Building Commission, 22 State	643,132		643,132
23	5. Child Abuse and Neglect Pre-			
24	vention, Department of:			
25	(a) Social Services Program	1,937,967		1,937,967
26	In accordance with Sections 27 26-16-1 et seq., Code of Ala- 28 bama 1975.			
29	SOURCE OF FUNDS:			
30	(1) ETF-Transfer	1,937,967		
31	Total Child Abuse and Neglect 32 Prevention, Department of ...	1,937,967		1,937,967

		Education Trust Fund	Earmarked Funds	Appropriation Total
1	6. Children's Affairs, Department of:			
2	(a) Social Services Program ..		20,078,519	20,078,519
3	The proposed spending plan for			
4	the ETF monies included in the			
5	above program is as follows:			
6	Office of			
7	School Readiness	20,009,742		
8	Of the above appropriation to			
9	the Office of School Readiness,			
10	\$1,700,000 shall be expended			
11	for the Home Instruction for			
12	Parents of Preschool			
13	Youngsters (HIPPY) program to			
14	be administered by the State			
15	Department of Education and			
16	\$950,000 shall be expended for			
17	the Head Start program.			
18	Operations and			
19	Maintenance ..	68,777		
20	SOURCE OF FUNDS:			
21	(1) ETF	20,078,519		
22	Total Children's Affairs, Department of	20,078,519		20,078,519
23				
24				
25				
26				
27	7. Debt Service:			
28	(a) Debt Service Program	3,012,270	8,000,000	11,012,270
29	For payments on interest and			
30	principal of GO Bonds, Series			
31	2001-B	798,215		
32	For payments on interest and			
33	principal of GO Bonds, Series			
34	2001-A	3,582,633		
35	For payments on interest and			
36	principal of GO Bonds, Series			
37	2005-A	6,016,678		
38	For payments on endowments as			
39	follows:			

	Education Trust Fund	Earmarked Funds	Appropriation Total
1	For interest on Auburn University Endowment	20,280	
2	For interest on University of Alabama Endowment	61,000	
3	For interest on Grove Hill		
4	Endowment	600	
5	For interest on Public School		
6	Fund Endowment:		
7	Interest on 16th Section		
8	Lands, Estimated	410,000	
9	Interest on School Indemnity		
10	Lands, Estimated	90,000	
11	Interest on Valueless 16th		
12	Section Land	5,825	
13	For interest on Surplus Reve-		
14	nue	26,764	
15	Interest on James Wallace Fund		
16	.....	<u>275</u>	
17	Total Interest on Public		
18	School Fund Endowment	532,864	
19	SOURCE OF FUNDS:		
20	(1) ETF	2,479,406	
21	(2) ETF-Transfer	532,864	
22	(3) Alabama Capital Improve-		
23	ment Trust Fund	<u>8,000,000</u>	
24	Total Debt Service	<u>3,012,270</u>	<u>8,000,000</u>
25			11,012,270
26			
27			
28	8. Dental Scholarship Awards,		
29	Board of:		
30	(a) Support of Other Educa-		
31	tional Activities Program .	335,000	250
32	To be expended under the pro-		
33	visions of Code of Alabama		
34	1975, Sections 16-47-76		
35	through 16-47-81.		
36	SOURCE OF FUNDS:		

		Education Trust Fund	Earmarked Funds	Appropriation Total
1	(1) ETF	335,000		
2	(2) Federal and Local Funds .		250	
3	Total Dental Scholarship			
4	Awards, Board of	335,000	250	335,250

5. **Education, State Board of -
Local Boards of Education:**

7 (a) Foundation Program 3,609,320,089 458,661,170 4,067,981,259

8 The above appropriation shall
9 include funds to pay for sub-
10 stitute support employees for
11 each day a support employee is
12 absent as funds are appropri-
13 ated. The Department of Educa-
14 tion is directed to withhold
15 funds from local systems not
16 employing substitutes for ab-
17 sent support employees. Such
18 withheld funds shall revert to
19 the Education Trust Fund.

20 (b) Transportation Program ... 336,710,322 336,710,322

21 The State Superintendent is
22 directed to withhold transpor-
23 tation funds used to pay em-
24 ployee benefits including but
25 not limited to PEEHIP, sick
26 leave, teacher retirement, and
27 F.I.C.A. from any local board
28 which does not directly pro-
29 vide these benefits to trans-
30 portation employees. No local
31 board shall be allowed to con-
32 vert funding provided in this
33 budget for employee benefits
34 into other uses or expendi-
35 tures. The above appropriation
36 includes fleet renewal funds
37 of \$5,864 per bus. No fleet
38 renewal funds shall be sent to
39 any school system which does
40 not own its own buses. The
41 State Examiner of Public Ac-
42 counts shall assure compli-
43 ance. The rate per day for two

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	personal days and five sick		
2	days for transportation per-		
3	sonnel shall be \$40. An appro-		
4	priately certified transporta-		
5	tion substitute shall be em-		
6	ployed for the absent trans-		
7	portation employee for each		
8	day the employee is absent.		
9	The Department of Education is		
10	directed to withhold funds		
11	from local systems not employ-		
12	ing substitutes for absent		
13	transportation employees. Such		
14	withheld funds shall revert to		
15	the Education Trust Fund. Of		
16	the above appropriation, the		
17	State Department of Education		
18	shall receive \$329,220 to con-		
19	tinue research on the school		
20	bus safety belt study.		
21	(c) At-Risk Student Program .	28,828,405	28,828,405
22	Each district shall receive		
23	its pro rata share for each		
24	student who is defined as be-		
25	ing at-risk of dropping out of		
26	school or is performing at an		
27	academic level below current		
28	grade placement. It is the		
29	intent of the Legislature that		
30	school systems should be en-		
31	couraged to successfully move		
32	students from the at-risk cat-		
33	egory. Therefore, a school		
34	system shall maintain its		
35	at-risk funding for every stu-		
36	dent removed from its at-risk		
37	definition for the next two		
38	fiscal years. Local school		
39	districts shall maintain sepa-		
40	rate accounts for all funds		
41	received in this category. The		
42	funds provided in this section		
43	are specifically designated		
44	for special programs to serve		
45	these students and may not be		
46	used as a part of a local		
47	school district's general op-		
48	erating budget. Local school		

	Education Trust Fund	Earmarked Funds	Appropriation Total
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1 systems in partnership with
2 and funding from the Department
3 of Education are expected
4 to establish programs which
5 will increase learning opportunities for at-risk students.
6 These programs shall include,
7 but not be limited to, after-school tutoring, summer
8 schools, weekend schools,
9 character education programs,
10 drop-out prevention programs,
11 career technical education
12 youth programs, alternative
13 schools, training of parents,
14 purchase and use of web-based
15 practice tests for the high
16 school graduation exam and
17 other state required standardized tests, programs to improve reading, and/or math, and/or science skills to increase grade-to-grade promotion, high school graduation and college preparedness, and other activities designed to assist at-risk students. The State Department of Education shall monitor the intent of the Legislature in the use of these funds and shall assure that they are used only in a manner designed to provide additional assistance above and beyond the regular instructional program for at-risk students. At-risk funds shall not be used to supplant any other funding of summer schools or other activities which are designed to serve the general student population but must be used for specific programs for at-risk students. At-risk students shall be defined as those students who score at level 1 or level 2 (not profi-

	Education Trust Fund	Earmarked Funds	Appropriation Total
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1 client/partially proficient) in
2 reading or mathematics on the
3 current state assessments.
4 Further, local school faculty
5 and the school principal shall
6 make specific recommendations
7 for students at the school to
8 be included as participants in
9 the at-risk program. At-risk
10 funds may be expended for stu-
11 dent programs to improve the
12 efficiency and utilization of
13 technology-based educational
14 resources in the classroom. As
15 a part of the above appropria-
16 tion for the At-Risk Student
17 Program, there is hereby ap-
18 propriated \$375,000 for the
19 Alabama Student Information
20 Management System (ASIMS).
21 ASIMS will connect each school
22 in Alabama with the Department
23 of Education through a common
24 software program in order to
25 assimilate data necessary to
26 comply with state accountabil-
27 ity standards, Legislative
28 Fiscal Office requests, and
29 the 2001 Reauthorization of
30 the Elementary and Secondary
31 Education Act (ESEA). It is
32 the intent of the Legislature
33 that schools and school sys-
34 tems involve the community in
35 planning and implementing
36 at-risk programs. Therefore,
37 schools shall expend at least
38 20% of the at-risk funds to
39 partner with non-profit commu-
40 nity organizations in planning
41 and implementing at-risk pro-
42 grams which directly assist in
43 improving academic perfor-
44 mance. Such programs may in-
45 clude, but not be limited to,
46 Boys and Girls Clubs, YMCAs,
47 21st Century Leadership, Pell
48 City Bridge Builders, Alabama

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Young Farmers Education Pro- 2 gram, and local civic and 3 charitable organizations. It 4 is the intent of the Legisla- 5 ture that these funds not be 6 utilized to partner with gov- 7 ernmental nor 8 quasi-governmental agencies 9 and entities whose functions 10 already include programs des- 11 ignated for at-risk funding. 12 The local school board shall 13 set forth the efforts made to 14 identify and involve community 15 organizations. The local board 16 shall revert to the ETF any 17 portion of the 20% of its 18 at-risk funding which was not 19 expended on partnerships with 20 qualifying community organiza- 21 tions. If after a diligent 22 process the local board cannot 23 identify effective community 24 organizations, the local board 25 may request a waiver from this 26 20% requirement from the State 27 Superintendent of Education. 28 The local board must submit an 29 alternative plan to the State 30 Superintendent accompanying 31 the request for the waiver. 32 The State Superintendent may 33 approve a waiver only upon 34 good and sufficient cause. In 35 appropriate situations, busi- 36 nesses may partner with 37 schools or school systems for 38 at-risk programs but may not 39 receive any compensation or 40 reimbursement for expenses or 41 other costs. The State Board 42 of Education is hereby autho- 43 rized, at its discretion, to 44 institute a pilot program to 45 employ behavioral support spe- 46 cialists in public middle 47 schools.		

(d) Endowment Interest Pro-

532,864

532,864

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	gram-Public School Fund, Estimated		
2			
3	(e) Capital Outlay Pro- gram-Public School Fund, Estimated	165,000,000	165,000,000
4			
5	(f) Board of Adjustment	562,800	562,800
6			
7	(g) Salary Matrix Adjustment	22,501,687	22,501,687
8			
9	(h) School Nurses Program ...	33,777,343	33,777,343
10			
11	To be distributed so that each school system shall receive one nurse and additional nurse or fractions of a nursing allocation based upon the average daily membership during the first 20 scholastic days after Labor Day of the preceding school year.		
12	The School Nurses Program shall use the following salary matrix to determine nursing salaries, based on 187 contract days and seven and one-half working hours per day.		
13	No nurse shall be dismissed, have their hours reduced and/or extended or receive less salary than received in FY 08. No funds provided herein for the School Nurses		
14	Program shall be used for the payment of any salaries of nurses who are not under the direct control, employment, and supervision of local boards of education. Any		
15	part-time employee pay shall conform to the pro-rata share of the following matrix:		
16			
17	Years Expe- rience	LPN	RN
18			RN/MS
19			
20	less than 3	19,000	36,144
21			41,564
22			
23	3 but less than 6	20,881	39,756
24			45,720
25			
26	6 but less than 9	21,779	41,497
27			47,721
28			
29	9 but less than 12	22,062	42,053
30			48,362
31			
32	12 but less than 15	22,459	42,818
33			49,238
34			
35	15 but less than 18	22,953	43,794
36			50,364
37			
38	18 but less than 21	23,229	44,360
39			51,012
40			
41	21 but less than 24	23,507	44,926
			51,666
	24 but less than 27	24,007	45,461
			52,201
	27 or more	24,507	45,997
			52,737
	(i) Capital Outlay Pro- gram-Federal and Local Funds, Estimated		42,356,297
			42,356,297

	Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	(j) Information Technology Services Program	4,711,022	4,711,022	
3 The above appropriation shall 4 be expended by local school 5 systems towards the position 6 of a district technology coor- 7 dinator that meets the job 8 description and qualifications 9 as established by the State 10 Board of Education and serves 11 as the primary point of con- 12 tact for all technology is- 13 sues. The District Technology 14 Coordinator as directed by the 15 school system shall be respon- 16 sible for a technology program 17 that ensures the proper ac- 18 countability for the follow- 19 ing: technology funds; tech- 20 nology professional develop- 21 ment; technology planning and 22 reporting; coordination of 23 technology across all pro- 24 grams; a safe, secure, and 25 fully operable network; tech- 26 nology procurement and inven- 27 tory; technology support for 28 data management; technology 29 support for distance learning; 30 annual E-rate application; 31 and, directing a program to 32 ensure all state standards 33 involving technology for 34 teachers, administrators, and 35 students are met and technol- 36 ogy is integrated throughout 37 the curriculum.				
38	SOURCE OF FUNDS:			
39	(1) ETF	4,036,411,668		
40	(2) Federal and Local Funds .	501,017,467		
41	(3) Public School Fund, Esti- 42 mated	165,532,864		
43	Total Education, State Board 44 of - Local Boards of Education	<u>4,036,411,668</u>	<u>666,550,331</u>	<u>4,702,961,999</u>

Education Trust Fund	Earmarked Funds	Appropriation Total
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1				
The above appropriation shall be distributed by the State Board of Education in accordance with the provisions of the Code of Alabama 1975, Sections 16-13-230 through 16-13-239, and all other laws and regulations of the State Board of Education relating to the expenditure of such funds. These funds shall be used to provide a minimum school term of 180 full instructional days and for equitable educational opportunities in the public schools of the state. Foundation Program calculations for FY 2008-2009 are based on the funding divisors set forth below. Units earned under the Foundation Program shall be employed as regular classroom teachers until and/or unless the local school achieves class sizes equal to or less than the following as mandated by the State Board of Education: grades K-3, maximum of 18; grades 4-6, maximum of 26; and grades 7-12, maximum of 29. The divisors listed below shall not serve to prescribe pupil-teacher ratios.					
14	Grades K-3 ...	13.8			
15	Grades 4-6 ...	21.4			
16	Grades 7-8 ...	20.1			
17	Grades 9-12 ..	18			
18	It is the intent of the Legislature that additional teacher units earned as a result of the reduction of the divisors for grades 4 through 8 in FY 2007 and FY 2008 be used for additional physical education; special education; math; and science teachers.				
22	In allocating the funds in the Foundation Program, the State Board of Education shall allot funds based on the rates established as follows:				
24	The Foundation Program shall use the following salary matrix to determine the cost of instructional salaries, based on 187 contract days, and any part-time contract shall conform to the pro-rata share of the following matrix:				
27	Years Experience	BS	MS	6Y	DO
28					ND
29	less than 3	36,144	41,564	44,818	48,071
30	3 but less				
31	than 6	39,756	45,720	49,297	52,877
32	6 but less				
33	than 9	41,497	47,721	51,470	55,191
34	9 but less				
35	than 12	42,053	48,362	52,148	55,932
36	12 but less				
37	than 15	42,818	49,238	53,093	56,949
38	15 but less				
39	than 18	43,794	50,364	54,305	58,244
40	18 but less	44,360	51,012	55,005	58,999
					44,360

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	than 21			
2	21 but less			
3	than 24	44,926	51,666	59,752
4	24 but less			
5	than 27	45,461	52,201	60,288
6	27 or more	45,997	52,737	60,824
7	For additional professional development, local boards of education are hereby authorized, pursuant to rules and regulations established by the State Board of Education, to continue to schedule the two additional days authorized beginning in FY 2000 for professional development/continuing education for all 9, 10 and 11 month certificated employees at their regular daily rate of pay beyond the previous 180 day employment contract. It is the intent of the Legislature that the use of these days be in accordance with a local school self-improvement plan developed at each school through a collaborative effort of the employees involved and the local school administrators. These two days for professional development/continuing education shall be made a part of the regular school year calendar. The purpose of the days provided herein is to improve classroom instruction, discipline, and school safety. The principal of each school shall report to the local superintendent the manner in which these two professional development days were used at the school. The local superintendent of education shall consolidate the reports from each school and send the report to the State Superintendent of Education. The use of the days shall be incorporated into the school system's professional development plan. It shall be the obligation of the in-service centers and colleges and universities to render maximum assistance to local school employees. The requirement of this section shall also apply to 9, 10 and 11 month certificated personnel at the Alabama Institute for Deaf and Blind, the Department of Youth Services, the School of Math and Science and the School of Fine Arts. Local boards of education are hereby authorized to schedule these two days of professional development/continuing education for all current 9, 10 and 11 month contracts of support personnel and all 9, 10 and 11 month contracts of Child Nutrition Program support personnel at their regular daily rate of pay beyond the previous 180 day employment contract. It is the intent of the Legislature that the purpose of these training sessions for all employed support personnel will be to provide occupation-specific skill training, safety training, training on school discipline, and other relevant aspects of support personnel interaction with students. For the purpose of these training sessions, it shall be the obligation of local boards of education to seek qualified occupation-specific trainers from the Department of Education and/or private vendors solely for training purposes. The requirement of this section shall apply to 9, 10 and 11 month support personnel at the Alabama Institute for Deaf and Blind, the Department of Youth Services, the School of Math and Science and the School of Fine Arts. Local or state board of education rules or regulations shall not be construed to negate the intent of the Legislature. The State Board of Education shall take care to ensure the implementation of the legislative intent as provided by this section.			
44	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 12.07% of salaries. The Public Education Employees' Health Insur-			
45				
46				

ance 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) classroom materials and supplies at \$400 per unit earned in the Foundation Program as required in Section 16-1-8.1, Code of Alabama 1975; (2) textbooks at \$57.50 per pupil in average daily membership during the first 20 scholastic days after Labor Day of the preceding school year; (3) technology at \$250 per unit earned in the Foundation Program; (4) professional development at \$35 per unit earned in the Foundation Program; (5) library enhancement at \$175 per unit earned in the Foundation Program; (6) a common purchase fund at each local school at \$125 per unit earned in the Foundation Program; and (7) funds allocated for instructional support units to meet SACS standards shall be used exclusively and specifically for principals, assistant principals, counselors, and librarians and library aides, as calculated by the State Department of Education and assigned to the schools where such units are earned. An instructional support unit earned for a principal shall be increased by .31 for elementary schools, .35 for middle schools, and .45 for secondary schools and unit schools. An instructional support unit earned for an assistant principal shall be increased by .10 for elementary schools, middle schools, secondary schools and unit schools. An instructional support unit earned for a counselor shall be increased by .03 for secondary schools and unit schools. The budgeting and expenditure of funds in the Foundation Program at the local level shall be determined and made by the local board of education in accordance with rules and regulations of the State Board of Education and all laws governing such school budgets and expenditures.

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

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

(a) Operations and Maintenance			
.....	340,694,147	194,271,116	534,965,263
(b) Auxiliary Enterprises ...		37,355,000	37,355,000
(c) Restricted Funds		193,700,000	193,700,000
(d) Operations and Maintenance of Postsecondary Prison Edu-	10,004,930		10,004,930

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	cation (ETF)		
2	Of the above appropriation,		
3	\$2,000,000 shall be expended		
4	for Therapeutic Education.		
5	(e) Postsecondary Skills		
6	Training and Education (Fed-		
7	eral and Other Funds)	22,500,000	22,500,000
8	(f) Adult Education Program	8,020,185	10,723,981
9	(g) Special Populations Train-		
10	ing	5,164,364	5,164,364
11	For programs to prepare the		
12	inmate population, parolees or		
13	other special populations des-		
14	ignated by the Chancellor for		
15	entry into the workforce		
16	through adult education,		
17	preemployment skills training,		
18	and short-term intensive ca-		
19	reer technical training.		
20	(h) Mine Safety Training Pro-		
21	gram at Bevill State Commu-		
22	nity College	300,000	300,000
23	(i) Community Educational		
24	(C.I.T.Y.) Programs	5,362,878	5,362,878
25	(j) Postsecondary Education		
26	Department - Administration	5,444,747	3,174,902
27	(k) Postsecondary/Tech Col-		
28	leges - Truck Driving Train-		
29	ing	200,000	2,100,000
30	Of the above appropriation,		
31	\$200,000 shall be expended for		
32	the Truck Driver Training Pro-		
33	gram at Central Alabama Commu-		
34	nity College.		
35	(l) Workforce Development ...	5,380,000	5,380,000
36	The Workforce Development		
37	Funds shall be distributed by		
38	the State Board of Education		
39	upon recommendation of the		
40	Chancellor to develop and im-		
41	plement programs to provide a		
42	skilled workforce and to pro-		
43	vide college operations and		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	maintenance allocations for		
2	workforce and economic devel-		
3	opment.		
4	(m) Marion Military Institute	7,412,925	7,412,925
5	(n) Alabama Technology Network	5,835,000	5,835,000
6	.....	
7	SOURCE OF FUNDS:		
8	(1) ETF	393,819,176	
9	(2) Federal and Other Funds .	<u>463,824,999</u>	
10	Total Education, State Board		
11	of - Two-Year College System	<u>393,819,176</u>	<u>463,824,999</u>
12			<u>857,644,175</u>

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

14 (2) The above appropriation from the ETF for Operations and Maintenance shall be
15 distributed so that each of the colleges, except Marion Military Institute, shall
16 receive the amounts necessary to fund additional employer contributions to teachers'
17 retirement. Shelton State Community College shall receive \$1,300,000 to operate the
18 Poison Control Center and Jefferson State Community College shall receive \$200,000
19 to operate the Risk Watch Program. The remaining balance shall be allocated among
20 colleges in an amount equal to the percent of the continuing and permanent Opera-
21 tions and Maintenance allocation received from the ETF in Act 2007-361.

22 (3) The above appropriation for Operations and Maintenance of Postsecondary Prison
23 Education shall be distributed to the same colleges and in the same amounts as FY
24 2008.

25 (4) The allocation of Adult Education funds appropriated herein is restricted to the
26 provision of services by grant recipients as defined under the stipulations of the
27 Adult Education and Family Literacy Act, Title II of the federal Workforce Invest-
28 ment Act of 1998.

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

33 (6) From the above appropriation for the Alabama Technology Network not less than
34 \$342,000 shall be expended for the continuation of Gadsden State Community College's
35 AFL-CIO partnership program.

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

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

		Education Trust Fund	Earmarked Funds	Appropriation Total
1	11. Education, State Department			
2	of:			
3	(a) Administrative Services			
4	Program 216,327,734	114,468,115	330,795,849	
5	The proposed spending plan for			
6	the ETF monies included in the			
7	above program is as follows:			
8	Operations and			
9	Maintenance of			
10	the Department 37,664,724			
11	Of the above appropriation, at			
12	least \$10,246,961 shall be			
13	expended in the same manner			
14	and for the same programs as			
15	the appropriation to the State			
16	Department of Education from			
17	the Children First Trust Fund			
18	was expended in FY 2005.			
19	Operations and			
20	Maintenance for			
21	the Alabama			
22	Reading Initiative	69,404,704		
23				
24	Operations and			
25	Maintenance for			
26	Math/Science/Technology Ini-			
27	tiative 40,792,050			
28				
29	Arts Education 600,000			
30	For art education programs in			
31	areas evaluated and reviewed			
32	by the Black Belt Action Com-			
33	mission.			
34	Teacher/Student			
35	Testing 8,479,865			
36	To be expended for			
37	teacher/student test develop-			
38	ment and expenses directly			
39	related to teacher and student			
40	assessment.			
41	Children's Eye			
42	Screening Pro-			
43	gram and Fol- 2,696,459			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	low-up Eye Care		
2	.....	
3	Of the above appropriation,		
4	\$1,377,000 shall be used to		
5	provide eye screening for		
6	Grades K, 2 and 4. The method		
7	of screening shall be color		
8	photo refraction as developed		
9	by the National Aeronautics		
10	and Space Administration and		
11	\$1,319,459 shall be used to		
12	provide follow-up care for		
13	those Grades K, 2 and 4 stu-		
14	dents. Follow-up eye care ser-		
15	vices shall include, but not		
16	be limited to, providing as-		
17	sistance in obtaining and co-		
18	ordinating local eye care ser-		
19	vices for those children iden-		
20	tified as needing said fol-		
21	low-up eye care services		
22	whether insured, uninsured or		
23	underinsured. Children identi-		
24	fied as uninsured or		
25	underinsured shall be provided		
26	with free eye exams and free		
27	prescription spectacles. A		
28	database including specific		
29	data by child, grade,		
30	school/system, and services		
31	for outcome-based measurement		
32	shall be maintained and ar-		
33	chived.		
34	Governor's Lo-		
35	cal School and		
36	School System		
37	Academic and		
38	Financial Im-		
39	provement Pro-		
40	gram (At-Risk) 22,710,268		
41	The above appropriation shall		
42	be expended for the operations		
43	and maintenance of at-risk		
44	programs to develop and imple-		
45	ment school improvement pro-		
46	grams' financial and/or aca-		
47	demic accountability per Sec-		

	Education Trust Fund	Earmarked Funds	Appropriation Total
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1 tition 16-6B-3, Code of Alabama
2 1975, and for benefits for
3 appropriate personnel within
4 the Department of Education.
5 At-risk funds shall be used to
6 employ personnel under
7 short-term contracts who shall
8 be assigned by the State Su-
9 perintendent of Education to
10 give direct assistance to
11 schools which come under the
12 jurisdiction of the Department
13 in accordance with Sections
14 16-6B-1 through 16-6B-6, Code
15 of Alabama 1975, which re-
16 quires schools and/or school
17 systems to be placed in inter-
18 vention for academic and/or
19 financial reasons by the State
20 Superintendent. In selecting
21 these personnel, the State
22 Superintendent shall give
23 preference to persons who have
24 achieved National Board for
25 Professional Teaching Stan-
26 dards (NBPTS) certification
27 and/or who have been chosen as
28 Alabama Teachers of the Year.
29 In the event this pool of per-
30 sonnel is inadequate, the
31 State Superintendent may then
32 employ other teaching and/or
33 administrative personnel who
34 have been recognized for their
35 competence. Such personnel
36 shall be assigned to work di-
37 rectly with schools whose op-
38 erations are being assisted by
39 the state. The State Superin-
40 tendent may further use these
41 personnel to assist schools
42 that are on Priority status as
43 well as use these funds in
44 partnership with and funding
45 from the Department of Educa-
46 tion to improve the learning
47 opportunities for at-risk stu-
48 dents. These programs shall

Education Trust Fund	Earmarked Funds	Appropriation Total
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1 include, but not be limited
 2 to, after school programs,
 3 character education programs,
 4 drop-out prevention programs,
 5 summer programs, career tech-
 6 nical youth programs, programs
 7 to improve reading, and/or
 8 math, and/or science skills to
 9 increase grade-to-grade promo-
 10 tion, high school graduation
 11 and college preparedness, and
 12 other activities designed to
 13 assist at-risk students. Per-
 14 sonnel employed or contracted
 15 by the Department for assis-
 16 tance in at-risk schools shall
 17 be on release status from
 18 their respective local boards
 19 of education and shall retain
 20 all benefits and tenure status
 21 unless they are given perma-
 22 nent employment in the State
 23 Department of Education. Funds
 24 may be allocated to entities
 25 that have and/or can effect
 26 positive results in improved
 27 student achievement. Of the
 28 above appropriation,
 29 \$2,467,250 is to be expended
 30 to reward schools for increas-
 31 ing their academic achieve-
 32 ment. Rewards will go directly
 33 to the school in which im-
 34 provement is made and should
 35 be invested in instructional
 36 improvement programs and/or
 37 materials voted on by the
 38 teaching faculty. The State
 39 Superintendent of Education
 40 shall notify and invite to
 41 participate members of the
 42 local legislative delegation
 43 when rewards are granted to
 44 schools which have increased
 45 their academic achievement.
 46 The State Board of Education
 47 is hereby authorized, at its
 48 discretion, to institute a

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	pilot program to employ behav-		
2	ioral support specialists in		
3	public middle schools.		
4	School Account-		
5	ability Report		
6	Card 746,282		
7	For distribution of the School		
8	Accountability Report Card		
9	referred to in Section 16-6B-7		
10	of the Code of Alabama 1975 to		
11	every parent with a child in		
12	Alabama public schools.		
13	English as a		
14	Second Language		
15	Students Pro-		
16	gram 4,839,800		
17	Based on the 2007-08 school		
18	system count supplied to the		
19	Alabama Department of Educa-		
20	tion by each local superinten-		
21	dent of education, herein is		
22	appropriated on a per student		
23	basis to be utilized by local		
24	school boards to provide as-		
25	sistance to students not uti-		
26	lizing English as their native		
27	language so they may become		
28	proficient in reading, writ-		
29	ing, and speaking English at		
30	the earliest possible time.		
31	Tenure Arbitra-		
32	tion Costs ... 900,000		
33	Of the above appropriation for		
34	Tenure Arbitration Costs,		
35	\$400,000 shall be transferred		
36	to fund the Office of the At-		
37	torney General for performance		
38	of arbitration services, in-		
39	cluding administration of the		
40	State's tenure laws (Code of		
41	Alabama 1975, Section		
42	36-26-115) by the Office of		
43	Administrative Hearings, Divi-		
44	ision of Administrative Law		
45	Judges.		

Education Trust Fund	Earmarked Funds	Appropriation Total
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1 Teacher Re-
 2 cruitment In-
 3 centives 10,000

4 The State Board of Education
 5 shall designate certain areas
 6 of critical needs for class-
 7 room teachers. These needs may
 8 be in subject matter areas,
 9 grade levels, geographic loca-
 10 tion, race or gender. The
 11 scholarship funds appropriated
 12 herein shall be administered
 13 by the Alabama Commission on
 14 Higher Education (ACHE) and
 15 shall be disbursed to students
 16 graduating from high school or
 17 already enrolled in college
 18 who sign a contract to become
 19 teachers. Upon completion of
 20 the course of study leading to
 21 certification each new teacher
 22 shall perform one year of ser-
 23 vice in an Alabama public
 24 school classroom for each year
 25 of scholarship funding re-
 26 ceived. Each year of scholar-
 27 ship shall be forgiven for
 28 each year of Alabama public
 29 school service. In the event
 30 the contract is violated the
 31 outstanding amount of money
 32 owed shall be repaid with in-
 33 terest. ACHE is authorized to
 34 establish a grace period be-
 35 tween the time a recipient
 36 withdraws from school, fails
 37 to complete the contracted
 38 program, or falls below
 39 full-time student status and
 40 the time that the recipient is
 41 obligated to begin repaying
 42 his or her loan. ACHE shall
 43 award scholarships based upon
 44 a combination of student need
 45 and academic success on previ-
 46 ous study undertaken. The
 47 scholarships awarded may be up
 48 to \$10,000 per year for stu-

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	dents preparing to teach in		
2	areas of need determined by		
3	the State Board of Education.		
4	Ten percent of this allocation		
5	may be used in conjunction		
6	with Future Teachers of Ala-		
7	bama to strengthen high school		
8	initiatives aimed at recruit-		
9	ing students to become teach-		
10	ers. Any funds appropriated		
11	for teacher recruitment incen-		
12	tives that are unexpended in		
13	FY 2008 are hereby		
14	reappropriated for teacher		
15	recruitment incentives for FY		
16	2009.		
17	Distance Learn-		
18	ing 25,333,582		
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 1,600,000		
36	Dropout Preven-		
37	tion Pilot ... 550,000		
38	(b) Financial Assistance Pro-		
39	gram 39,468,199	975,235,577	1,014,703,776
40	The proposed spending plan for		
41	the ETF monies included in the		
42	above program is as follows:		
43	Southwest		
44	School of Deaf		
45	and Blind 343,301		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Pre-School Pro-		
2	gram (Special		
3	Education) ...	2,269,605	
4	National Board		
5	for Profes-		
6	sional Teaching		
7	Standards	8,690,000	
8	The above appropriation in-		
9	cludes funds to pay assessment		
10	fees for teachers desiring to		
11	take the examination, funds to		
12	provide a \$5,000 supplement in		
13	addition to base salary as		
14	determined by the Minimum Sal-		
15	ary Schedule for all		
16	board-certified teachers and		
17	funds to provide a one-time		
18	bonus for teachers earning		
19	certification to be used for		
20	classroom supplies, materials		
21	and equipment. Alabama teach-		
22	ers shall apply for funding of		
23	the assessment fees and recip-		
24	ients are required to commit		
25	to teach in Alabama public		
26	schools for an additional pe-		
27	riod of five years unless an		
28	exception is granted for just		
29	cause. Of the funds provided		
30	herein, an amount not to ex-		
31	ceed \$45,000 shall be used to		
32	pay for release time of per-		
33	sonnel used by the State De-		
34	partment of Education to men-		
35	tor prospective candidates for		
36	the NBPTS certification and to		
37	assist in determining which		
38	candidates shall receive state		
39	funding to take the examina-		
40	tion. Salary must be provided		
41	before said amount can be used		
42	by the State Department of		
43	Education for personnel re-		
44	lease time.		
45	Children's Hos-		
46	pital	145,000	

		Education Trust Fund	Earmarked Funds	Appropriation Total
1	Play By The			
2	Rules Program	35,000		
3	Council on Eco-			
4	nomic Education			
5	.....	25,000		
6	Career Tech			
7	Initiative ...	2,500,000		
8	P.A.C.E.R.S.			
9	Program	150,000		
10	PALS Program .	30,000		
11	Teacher			
12	In-Service Cen-			
13	ters	3,824,286		
14	The State Board of Education,			
15	through the State Superinten-			
16	dent of Education, shall ad-			
17	minister the in-service cen-			
18	ters and shall monitor the			
19	centers for compliance with			
20	established accountability			
21	standards. The above appropri-			
22	ation to the In-Service Cen-			
23	ters shall be distributed to			
24	the existing eleven Teacher			
25	In-Service Centers in each			
26	geographical area of the state			
27	as follows:			
28	University of			
29	Alabama			
30	.... \$301,366			
31	University of			
32	Alabama at Bir-			
33	mingham			
34	.... \$417,142			
35	Alabama A and M			
36	University			
37	.... \$380,185			
38	Alabama State			
39	University			
40	.... \$327,636			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Athens State University		
2		.... \$317,602	
3			
4	Auburn Univer- sity		
5		.... \$330,577	
6			
7	Jacksonville State Univer- sity		
8			
9		.... \$323,731	
10			
11	University of Montevallo		
12		.... \$340,224	
13			
14	Troy University		
15		.... \$343,881	
16			
17	University of North Alabama		
18			
19	.... \$294,564		
20	University of South Alabama		
21			
22	.... \$447,378		
23			
24	Teacher Profes- sional Develop- ment Training	1,356,012	
25			
26	This appropriation shall be		
27	used to train teachers (K-12)		
28	in the use of computers in the		
29	classroom. Trainers shall be		
30	chosen who can assist teachers		
31	in learning computer skills,		
32	the use of instructional soft- ware, and the classroom uses		
33	of the Internet.		
34			
35	Jobs for Ala- bama's Gradu-		
36	ates (JAG) ...	999,467	

Education Trust Fund	Earmarked Funds	Appropriation Total
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1 Virtual Library
 2 Project 3,772,600
 3 The State Department shall
 4 serve as the fiscal agent for
 5 the Virtual Library Project.
 6 Governor's High
 7 Hopes for Ala-
 8 bama Students 12,377,928
 9 Of the above appropriation, at
 10 least \$2,942,964 is to be al-
 11 located on behalf of students
 12 failing any section of the
 13 Alabama High School Graduation
 14 Exam. The funds appropriated
 15 in this section for graduation
 16 exam failure shall be in addi-
 17 tion to and may not supplant
 18 any other funds required to be
 19 expended by the state or local
 20 board of education for
 21 remediation and for the pur-
 22 chase of web-based sample
 23 practice tests for the High
 24 School Graduation Exam and
 25 other state required standard-
 26 ized tests which can be taken
 27 and scored using a web-based
 28 platform, or for at-risk stu-
 29 dents, including, but not lim-
 30 ited to, Section 16-6B-3, Code
 31 of Alabama 1975, and/or any
 32 rules or regulations adopted
 33 by the State Board of Educa-
 34 tion.
 35 Teacher
 36 Mentoring Pro-
 37 gram 2,950,000
 38 A teacher mentoring program
 39 shall be established and in-
 40 stituted in each school in
 41 which a first year teacher is
 42 employed. The principal shall
 43 designate a mentor for each
 44 new teacher who has had no
 45 prior teaching experience. The
 46 mentor must concur in his/her

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	selection and shall receive a		
2	stipend of \$1,000 for the aca-		
3	demic year. Mentors shall be		
4	selected on the basis of qual-		
5	ifications recommended by the		
6	State Superintendent of Educa-		
7	tion. Mentors shall advise and		
8	offer instructional counseling		
9	to the new teacher. Mentor		
10	teachers shall have no admin-		
11	istrative duties and shall not		
12	participate in the evaluation		
13	of the new teacher. At no time		
14	shall the mentor act as a sub-		
15	stitute teacher in lieu of the		
16	new teacher. Each mentor shall		
17	be currently employed as a		
18	classroom teacher and shall		
19	continue his/her normal teach-		
20	ing responsibility in addition		
21	to providing assistance to the		
22	new teacher. Payment of the		
23	stipend shall be made in two		
24	payments.		
25	(c) Alabama Science In Motion		
26	Program	2,214,759	2,214,759
27	All funds appropriated to this		
28	program shall be expended in		
29	accordance with Title 16,		
30	Chapters 61B and 61C, Code of		
31	Alabama 1975. Additionally,		
32	any funds unexpended and car-		
33	ried over from the prior fis-		
34	cal year are hereby		
35	reappropriated.		
36	(d) Disability Determination		
37	for Social Security Program	81,461,346	81,461,346
38	SOURCE OF FUNDS:		
39	(1) ETF	255,795,933	
40	(2) ETF-Transfer	2,214,759	
41	(3) Driver Education and		
42	Training Fund	4,243,250	
43	(4) Federal and Local Funds .	1,164,421,788	

		Education Trust Fund	Earmarked Funds	Appropriation Total
1	(5) Special Education Cata-			
2	strophic Fund		2,500,000	

3	Total Education, State Depart-			
4	ment of	258,010,692	1,171,165,038	1,429,175,730

5 **12. Educational Television Com-**
 6 **mission:**

7	(a) Educational Television			
8	Program	8,164,407	507,171	8,671,578

9 **SOURCE OF FUNDS:**

10	(1) ETF	8,164,407		
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11	(2) Federal and Local Funds .	507,171		
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12	Total Educational Television			
13	Commission	8,164,407	507,171	8,671,578

14 **13. Executive Commission on Com-**
 15 **munity Services Grants, State:**

16	(a) Community Services Grants			
17	Program	10,000,000		10,000,000

18 Distributed pursuant to Sec-
 19 tion 29-2-123 of the Code of
 20 Alabama 1975, as amended.

21 **SOURCE OF FUNDS:**

22	(1) ETF	10,000,000		
----	---------------	------------	--	--

23 The above appropriation shall
 24 be used for grants that pro-
 25 mote public education pur-
 26 poses.

27 Total Executive Commission on
 28 Community Services Grants,
 29 State

10,000,000 10,000,000

30 **14. Family Practice Rural Health**
 31 **Board:**

32	(a) Family Practice Rural			
33	Health Program	1,551,857		1,551,857

34

35 **SOURCE OF FUNDS:**

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	1,551,857	
2	Total Family Practice Rural		
3	Health Board	1,551,857	1,551,857

4 Of the above appropriation, at
 5 least \$100,000 shall be ex-
 6 pended for the Auburn Rural
 7 Health Program; a minimum of
 8 \$100,000 shall be expended for
 9 the Tuskegee Area Health Edu-
 10 cation Center (TAHEC);
 11 \$540,000 shall be expended for
 12 the Rural Medical Scholars
 13 Program at the University of
 14 Alabama at Tuscaloosa; and
 15 \$100,000 shall be expended for
 16 the Rural Health Program at
 17 the University of Alabama in
 18 Huntsville.

19 **15. Finance, Department of:**

20	(a) Employee Benefits Program	900,000	900,000
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21 **SOURCE OF FUNDS:**

22	(1) ETF, Estimated	900,000	
----	--------------------------	---------	--

23	Total Finance, Department of	900,000	900,000
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24 To be distributed by the State
 25 Comptroller to the designated
 26 beneficiaries or estates for
 27 unused sick leave pursuant to
 28 Code of Alabama 1975, Section
 29 16-1-18.2.

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

32	(a) Information Systems Pro- gram	1,400,000	1,400,000
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34 **SOURCE OF FUNDS:**

35	(1) ETF-Transfer	1,400,000	
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36	Total Finance, Department of -		
37	Telephone Revolving Fund	1,400,000	1,400,000

	Education Trust Fund	Earmarked Funds	Appropriation Total
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1 The Telephone Revolving Fund
 2 shall assess to using agencies
 3 and institutions any addi-
 4 tional amount necessary to
 5 provide continuing
 6 non-interrupted service of a
 7 minimum maintenance level.

8 **17. Fine Arts, Alabama School of:**

9	(a) Financial Assistance Pro-		
10	gram	7,646,705	928,000
			8,574,705

11 **SOURCE OF FUNDS:**

12	(1) ETF	7,646,705	
----	---------------	-----------	--

13	(2) Federal and Local Funds .		928,000
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14	Total Fine Arts, Alabama		
15	School of	7,646,705	928,000
			8,574,705

16 **18. Fire Fighters' Personnel**
 17 **Standards and Education Com-**
 18 **mmission, Alabama/Fire College**
 19 **Shelton State Community Col-**
 20 **lege:**

21	(a) Operations and Maintenance		
22	4,507,606	1,945,000
			6,452,606

23 **SOURCE OF FUNDS:**

24	(1) ETF	4,507,606	
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25	(2) Federal and Local Funds .		1,945,000
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26	Total Fire Fighters' Personnel		
27	Standards and Education Com-		
28	mmission, Alabama/Fire College		
29	Shelton State Community Col-		
30	lege	4,507,606	1,945,000
			6,452,606

31

32 **19. Governor's Office of Faith**
 33 **Based and Community Initia-**
 34 **tives:**

35	(a) Executive Direction Pro-		
36	gram	150,000	150,000

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 SOURCE OF FUNDS:			
2	(1) ETF	150,000	
3	Total Governor's Office of		
4	Faith Based and Community Ini-		
5	tiatives	150,000	150,000
6	20. Higher Education, Alabama		
7	Commission on:		
8	(a) Planning and Coordination		
9	Services Program	2,760,900	2,760,900
10	The proposed spending plan for		
11	the ETF monies included in the		
12	above program is as follows:		
13	Operations and		
14	Maintenance ..	2,760,900	
15	(b) Student Financial Aid Pro-		
16	gram	7,187,272	3,453,443
17	(1) Policeman's		
18	Survivor Tui-		
19	tion, Estimated		
20	.....	137,000	
21	To be expended under the pro-		
22	visions of Code of Alabama		
23	1975, Section 36-21-105.		
24	(2) Alabama Na-		
25	tional Guard		
26	Educational As-		
27	sistance Schol-		
28	arships	675,143	
29	To be expended in accordance		
30	with Code of Alabama 1975,		
31	Sections 31-10-1 through		
32	31-10-4 and Sections 31-10-20		
33	through 31-10-25.		
34	(3) Alabama		
35	Student Assis-		
36	tance Program	3,523,658	
37	(4) Educational		
38	Grants Program		
39	(Alabama Stu-		
40	dent Grant Pro-		
41	gram)	2,819,471	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	To be expended in accordance 2 with Code of Alabama 1975, 3 Sections 16-33A-1 through 4 16-33A-11. It is the intent of 5 the Legislature that private 6 institutions receiving state 7 grant funds under this provi- 8 sion make their best effort to 9 use the equivalent of ten per- 10 cent of Federal Work Study 11 allocations for the purpose of 12 tutoring and mentoring stu- 13 dents in grades K-12 to better 14 prepare them for graduation, 15 college entry and retention. 16 Institutions shall work with 17 their respective governing 18 boards to develop and imple- 19 ment this effort.		
20	(5) 21 Chiropractic 22 Scholarships . 32,000		
23	To be expended in accordance 24 with Code of Alabama 1975, 25 Section 16-5-11.		
26	(c) Support of Other Educa- 27 tional Activities Program .	3,092,926	1,594,860
28	The proposed spending plan for 29 the ETF monies included in the 30 above program is as follows:		4,687,786
31	(1) Network of 32 Alabama Aca- 33 demic Libraries 34 325,655		
35	It is the intent of the Legis- 36 lature that ACHE shall provide 37 for the participation of Ath- 38 ens State University in the 39 Network of Alabama Academic 40 Libraries.		
41	(2) Southern 42 Regional Educa- 43 tion Board 44 (SREB) 717,271		
45	(3) EPSCoR (Re- 1,500,000		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	search) Program		
2			
3	(4) Computer		
4	Based Articula-		
5	tion System ..	450,000	
6	To fund Troy University for		
7	developing and operating a		
8	statewide computer-based ar-		
9	ticulation system to serve all		
10	four-year and two-year		
11	postsecondary institutions in		
12	the State of Alabama.		
13	(5) School and		
14	University		
15	Partnership for		
16	Education Re-		
17	newal Program		
18	(SUPER)	100,000	
19	(d) Support of State Universi-		
20	ties Program	6,100,000	75,000
21	The proposed spending plan for		
22	the ETF monies included in the		
23	above program is as follows:		
24	(1) Alabama Ag-		
25	ricultural Land		
26	Grant Alliance	6,100,000	
27	Of the above appropriation to		
28	AALGA, at least \$5,000,000		
29	shall be equally distributed		
30	as a state match for federal		
31	funds for those institutions		
32	in the Alliance required to		
33	provide matching funds in or-		
34	der to obtain federal funds		
35	for the first time in fiscal		
36	year 2000. Of the above appro-		
37	priation, \$400,000 shall be		
38	allocated for the fruit and		
39	vegetable marketing initiative		
40	and \$200,000 shall be allo-		
41	cated for the Youth Partner-		
42	ship Program.		
43	SOURCE OF FUNDS:		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
(1) ETF	19,141,098		
(2) Federal and Local Funds		5,123,303	
Total Higher Education, Alabama Commission on	19,141,098	5,123,303	24,264,401

21. Human Resources, Department

of:

(a) Human Services Program -
Jobs Opportunities and Basic
Skills Training (JOBS) Pro-
gram

5,571,624

5,571,624

(b) Human Services Program -
Jobs Child Care and After
School Child Care Program ..

10,168,059

10,168,059

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

SOURCE OF FUNDS:

(1) ETF-Transfer 15,739,683

Total Human Resources, Department of

15,739,683

15,739,683

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

22. Industrial Development Training Institute, Alabama:

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(a) Industrial Development and Training Program	6,440,154	6,440,154
2	(b) Industrial Training Pro- gram - Operations and Main- tenance	6,488,061	6,488,061
3	(c) Workforce Development ...	29,070,000	29,070,000
4			
5	SOURCE OF FUNDS:		
6			
7	(1) ETF	<u>41,998,215</u>	
8			
9	Total Industrial Development Training Institute, Alabama .	<u>41,998,215</u>	<u>41,998,215</u>
10			

The \$29,070,000 of funds appropriated for Workforce Development are to be expended for those costs incurred by the State in honoring commitments to pay Workforce Development costs, including services and other assistance and expenses of recruitment and training of a company's workforce, that are undertaken to induce companies to locate or expand their operations in Alabama (described hereinafter as a "Project") and to develop and implement training, placement and recruitment programs that will improve, develop and expand the State's workforce. Such costs include, but are not limited to (i) AIDT operating costs directly related to a Project; (ii) wages and benefits for trainers engaged by AIDT for the purpose of a Project; (iii) costs which the State has agreed to pay under the terms of a Project Agreement with a company that are necessary and reasonable charges incurred by the company or its affiliates for personnel providing training to the company's employees,

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

Education Trust Fund	Earmarked Funds	Appropriation Total
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1 report quarterly to the Chairs
 2 of the Senate Committee on
 3 Finance and Taxation-Education
 4 and the House Committee on
 5 Education Appropriations and
 6 the Legislative Fiscal Officer
 7 on any funds allocated for
 8 workforce training. Such re-
 9 port shall include a summary
 10 of the persons trained and the
 11 vendors providing the train-
 12 ing. The reports shall contain
 13 information including resi-
 14 dence, race and gender of the
 15 persons trained and of the
 16 principal or majority owner of
 17 the firm or business con-
 18 tracted with to provide the
 19 training services.

20 **23. Library Service, Alabama Pub-**
 21 **lic:**

22 (a) Public Library Service
 23 Program 8,369,699 2,892,935 11,262,634

24 Of the above appropriation, a
 25 minimum of \$5,090,608 is to be
 26 distributed to the public li-
 27 braries within the state and
 28 \$300,000 shall be expended for
 29 Homework Alabama.

30 (b) Special Grant Program ... 325,000 325,000

31 SOURCE OF FUNDS:

32 (1) ETF 8,694,699

33 (2) Federal and Local Funds . 2,892,935

34 Total Library Service, Alabama
 35 Public 8,694,699 2,892,935 11,587,634

36 **24. Marine Environmental Sciences**
 37 **Consortium/Dauphin Island Sea**
 38 **Lab:**

39 (a) Support of Other Educa-
 40 tional Activities Program . 4,377,533 2,920,390 7,297,923

41 Of the above appropriation,

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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1 \$100,000 shall be expended for
2 the Mobile Bay National Estu-
3 ary Program and \$100,000 shall
4 be expended for the Missis-
5 sippi-Alabama Sea Grant Con-
6 sortium.

7 SOURCE OF FUNDS:

8 (1) ETF	4,377,533		
9 (2) Federal and Local Funds .	<u>2,920,390</u>		
10 Total Marine Environmental 11 Sciences Consortium/Dauphin 12 Island Sea Lab	<u>4,377,533</u>	<u>2,920,390</u>	<u>7,297,923</u>

13 **25. Mathematics and Science, Ala-**
14 **bama School of:**

15 (a) Financial Assistance Pro- 16 gram	6,989,577	54,100	7,043,677
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17 SOURCE OF FUNDS:

18 (1) ETF	6,989,577		
19 (2) Federal and Local Funds .	<u>54,100</u>		
20 Total Mathematics and Science, 21 Alabama School of	<u>6,989,577</u>	<u>54,100</u>	<u>7,043,677</u>

22 **26. Medical Scholarship Awards,**
23 **Board of:**

24 (a) Support of Other Educa- 25 tional Activities Program .	1,300,000	400,000	1,700,000
26 To be expended under the pro- 27 visions of the Code of Alabama 28 1975, Sections 16-47-121 29 through 16-47-129.			

30 SOURCE OF FUNDS:

31 (1) ETF	1,300,000		
32 (2) Federal and Local Funds .	<u>400,000</u>		
33 Total Medical Scholarship 34 Awards, Board of	<u>1,300,000</u>	<u>400,000</u>	<u>1,700,000</u>

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	27. Mental Health and Mental Re-		
2	tardation, Department of:		
3	(a) Institutional Treatment		
4	and Care of Mental Illness		
5	Program 4,932,770		4,932,770
6	(b) Institutional Treatment		
7	and Care of Mental Retarda-		
8	tion Program 26,934,421		26,934,421
9	Of the above appropriation to		
10	the Department of Mental		
11	Health and Mental Retardation		
12	for the Mental Retardation		
13	Program, the sum of \$5,091,760		
14	shall be used to fund the		
15	ARC-type community-based pro-		
16	grams, including the Montgom-		
17	ery Institute for Neurological		
18	Development, for the mentally		
19	retarded and developmentally		
20	disabled in Alabama and the		
21	sum of \$520,148 shall be allo-		
22	cated to Camp ASCCA.		
23	(c) Substance Abuse Program . 1,216,051		1,216,051
24	SOURCE OF FUNDS:		
25	(1) ETF-Transfer 33,083,242		
26	Total Mental Health and Mental		
27	Retardation, Department of .. 33,083,242		33,083,242
28			
29	28. Nursing, Alabama Board of:		
30	(a) Professional and Occupa-		
31	tional Licensing and Regula-		
32	tion Program 257,000		257,000
33	The above appropriation shall		
34	be expended pursuant to the		
35	provisions of the Code of Ala-		
36	abama 1975, Sections 34-21-60		
37	through 34-21-63. Notwith-		
38	standing the limiting provi-		
39	sions of the Code of Alabama		
40	1975, Sections 34-21-60		
41	through 34-21-63, \$200,000 of		

Education Trust Fund	Earmarked Funds	Appropriation Total
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1 the above appropriation shall
 2 be expended exclusively for
 3 scholarships for advanced de-
 4 grees to train instructors to
 5 teach nursing classes in Ala-
 6 bama colleges and universi-
 7 ties.

8 SOURCE OF FUNDS:

9 (1) ETF	257,000
10 Total Nursing, Alabama Board	
11 of	257,000
	<u>257,000</u>

12 **29. Optometric Scholarship**
 13 **Awards, Board of:**

14 (a) Support of Other Educa- 15 tional Activities Program .	188,000	188,000
16 To be expended under the pro- 17 visions of the Code of Alabama		
18 1975, Sections 34-22-60 19 through 34-22-65.		

20 SOURCE OF FUNDS:

21 (1) ETF	188,000
22 Total Optometric Scholarship	
23 Awards, Board of	188,000
	<u>188,000</u>

24 **30. Peace Officers' Standards and**
 25 **Training Commission, Alabama:**

26 (a) Professional and Occupa- 27 tional Licensing and Regula- 28 tion Program	339,407	4,500,000	4,839,407
29 (b) Certified Law Enforcement			
30 Academy Program	465,670	450,000	915,670

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

36 Northeast Po- 37 lice Academy .	121,074
38 Alabama Peace	
39 Officers' Stan-	121,074

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	dards and		
2	Training Com-		
3	mission Law		
4	Enforcement		
5	Academy at		
6	Tuscaloosa ...		
7	Southwest Po-		
8	lice Academy .	121,074	
9	Alabama Police		
10	Academy	65,194	
11	Montgomery Po-		
12	lice Academy .	37,254	
13	SOURCE OF FUNDS:		
14	(1) ETF	805,077	
15	(2) Alabama Peace Officers'		
16	Standards and Training		
17	Fund-as provided in the Code		
18	of Alabama 1975, Sections		
19	36-21-40 through 36-21-51 .	4,950,000	
20	Total Peace Officers' Stan-		
21	dards and Training Commission,		
22	Alabama	805,077	4,950,000
			5,755,077
23	31. Penny Trust Fund - Buskey		
24	Matching Funds:		
25	(a) Special Services Program,		
26	Estimated	588,454	588,454
27	SOURCE OF FUNDS:		
28	(1) ETF-Transfer	588,454	
29	Total Penny Trust Fund -		
30	Buskey Matching Funds	588,454	588,454
31	In accordance with Sections		
32	41-15A-10 through 41-15A-12,		
33	Code of Alabama 1975.		
34	32. Physical Fitness, Governor's		
35	Commission on:		
36	(a) Advisory Services Program	915,120	18,846
37	SOURCE OF FUNDS:		933,966

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
(1) ETF	915,120		
(2) Federal and Local Funds .		18,846	
Total Physical Fitness, Governor's Commission on	915,120	18,846	933,966

33. Public Health, Department of:

(a) Public Health Services
Program 13,668,136 13,668,136

Of the above appropriation, \$13,248,136 shall be expended for the continuation of the programs in Public School Sanitation, licensure and certification, immunization activities at the county level, patient education and child health, immunization of pre-school children and students, dental health, tuberculosis and nursing services, life skills educational training in schools, vaccines to non-VFC-eligible children, and other public health purposes. Of the above appropriation, \$270,000 shall be expended for AIDS Alabama and \$150,000 shall be expended for the Alabama Kidney Foundation.

(b) Administration Services
Program 1,100,714 1,100,714

(c) Continuing Education for
EMT Personnel 1,800,000 1,800,000

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

SOURCE OF FUNDS:

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	16,568,850	
2	Total Public Health, Depart- ment of	16,568,850	16,568,850

4

5 **34. Rehabilitation Services, De-
6 partment of:**

7 (a) Direct Client Services for
8 the Handicapped Program ... 41,208,068 121,349,405 162,557,473

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

12 Homebound 5,406,799

13 Hemophilia ... 1,560,958

14 Children's Re-
15 habilitation
16 Services 13,428,501

17 Of the above appropriation the
18 agency will pay to each hospi-
19 tal the standard per diem paid
20 by the state Medicaid Agency
21 for services relating to
22 scoliosis and spina bifida
23 medical care.

24 Education of
25 Dependents of
26 Blind Parents 12,750

27 The above appropriation shall
28 be allocated for reimbursement
29 to every state institution of
30 higher learning, college, uni-
31 versity, community college, or
32 junior college, in which bene-
33 fits are given to dependents
34 of blind parents under the
35 provisions of Code of Alabama
36 1975, Sections 16-33-1 through
37 16-33-12.

38 Rehabilitation
39 Services 12,375,143

40 Of the above appropriation,
41 \$100,000 shall be expended for

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Teaching Children With Dis-		
2	abilities.		
3	Early Interven-		
4	tion Program .	6,889,119	
5	Respite Related		
6	Services and		
7	Training	50,000	
8	Rehabilitation		
9	Projects	1,484,798	
10	SOURCE OF FUNDS:		
11	(1) ETF	41,208,068	
12	(2) Federal and Local Funds .	119,955,954	
13	(3) Impaired Drivers Trust		
14	Fund	1,393,451	
15	Total Rehabilitation Services,		
16	Department of	41,208,068	121,349,405
			<u>162,557,473</u>

17 It is the intent of the Legis-
 18 lature that the above appro-
 19 priation to the Department of
 20 Rehabilitation Services - Re-
 21 habilitation Projects may be
 22 used to contract with provid-
 23 ers of cerebral palsy ser-
 24 vices. In addition to the
 25 above appropriation to the
 26 Department of Rehabilitation
 27 Services, there is hereby ap-
 28 propriated a \$2,365,135 condi-
 29 tional appropriation from the
 30 Education Trust Fund to be
 31 allocated to the following
 32 programs: Children Rehabilita-
 33 tion Services, \$1,139,515;
 34 Early Intervention, \$272,372;
 35 Homebound Program, \$445,883;
 36 Hemophilia Program, \$36,130;
 37 and Rehabilitation Services,
 38 \$471,235. This appropriation
 39 is to be conditioned upon the
 40 availability of funds in the
 41 Education Trust Fund, the rec-
 42 ommendation of the Director of

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Finance and the approval of		
2	the Governor.		
3	35. Sickle Cell Oversight and		
4	Regulatory Commission, Ala-		
5	bama:		
6	(a) Support of Other Educa-	1,646,269	1,646,269
7	tional Activities Program .		
8	Of the above appropriation to		
9	the Alabama Sickle Cell and		
10	Regulatory Commission, the sum		
11	of \$35,000 shall be used to		
12	fund travel and other expenses		
13	of the Alabama Sickle Cell		
14	Oversight and Regulatory Com-		
15	mmission and \$1,611,269 shall		
16	be used to fund university and		
17	community-based Sickle Cell		
18	programs which were funded		
19	from the ETF budget in FY		
20	2000. These funds shall be		
21	distributed proportionately to		
22	the distribution made in FY		
23	2003.		
24	SOURCE OF FUNDS:		
25	(1) ETF	1,646,269	
26	Total Sickle Cell Oversight		
27	and Regulatory Commission,		
28	Alabama	1,646,269	1,646,269
29	36. Space Science Exhibit Commis-		
30	sion, Alabama:		
31	(a) Special Services Program	650,000	31,209,000
32	SOURCE OF FUNDS:		
33	(1) ETF	650,000	
34	(2) Federal and Local Funds .	31,209,000	
35	Total Space Science Exhibit		
36	Commission, Alabama	650,000	31,209,000
37	37. Supercomputer Authority, Ala-		
38	bama:		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	(a) Information Technology Services Program	6,285,248	2,633,769	8,919,017
2				
3	The above appropriation is to			
4	be expended in accordance with			
5	Sections 41-10-390 through			
6	41-10-406, Code of Alabama			
7	1975.			

8 SOURCE OF FUNDS:

9	(1) ETF-Transfer	6,285,248		
10	(2) Supercomputer Revolving Fund, Estimated	2,633,769		
11				
12	Total Supercomputer Authority,			
13	Alabama	6,285,248	2,633,769	8,919,017

14
15 **38. Veterans' Affairs, Department
16 of:**

17	(a) Administration of Veter- 18 ans' Affairs Program	3,211,846	3,211,846	
19	(b) Student Financial Aid Pro- 20 gram, Estimated	20,055,275	20,055,275	
21				
22	For reimbursement to every			
23	state institution of higher			
24	learning, college, university,			
25	community college, junior col-			
26	lege or technical college in			
27	which benefits are given to			
28	veterans, their spouses, wid-			
29	ows, or children under the			
30	provisions of Code of Alabama			
31	1975, Sections 31-6-1 through			
	31-6-17.			

32 SOURCE OF FUNDS:

33	(1) ETF	23,267,121		
34	Total Veterans' Affairs, De-			
35	partment of	23,267,121	23,267,121	

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

38	(a) Financial Assistance Pro-	8,102,228	1,090,977	9,193,205
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	Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	gram (School District)			
2	The above appropriation shall			
3	be expended by the Youth Ser-			
4	vices Department District in a			
5	manner consistent with the			
6	funding formula cooperatively			
7	established by the Youth Ser-			
8	vices Board and the State			
9	Board of Education pursuant to			
10	the provisions of the Code of			
11	Alabama 1975, Sections 44-1-70			
12	through 44-1-77.			
13	(b) Youth Services Program ..	47,621,964	14,776,777	62,398,741
14	SOURCE OF FUNDS:			
15	(1) ETF	55,724,192		
16	(2) Federal and Local Funds ..	<hr/> 15,867,754		
17	Total Youth Services, Depart-			
18	ment of	<hr/> 55,724,192	<hr/> 15,867,754	<hr/> 71,591,946
19	3C. Colleges and Universities:			
20	1. Alabama Agricultural and			
21	Mechanical University, Board			
22	of Trustees:			
23	(a) Operations and Maintenance			
24	and Program Support	39,042,626	42,632,193	81,674,819
25	Of the above appropriation,			
26	\$50,000 shall be expended for			
27	the Black Archives Museum.			
28	(b) Agricultural Research Sta-			
29	tion Fixed Costs	300,000	300,000	
30	Pursuant to Knight v. Alabama			
31	Final Settlement Agreement.			
32	(c) Auxiliary Enterprises ...	10,500,000	10,500,000	
33	(d) Restricted Funds	31,207,240	31,207,240	
34	(e) Agricultural Research and			
35	Extension-State Match	1,501,585	1,501,585	
36	(f) Extension Service-Urban			
37	Affairs and Non-Traditional			
38	Programs	3,919,987	3,919,987	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
Pursuant to Knight v. Alabama Final Settlement Agreement.			
SOURCE OF FUNDS:			
4	(1) ETF	44,764,198	
5	(2) Federal and Other Funds .	<u>84,339,433</u>	
6	Total Alabama Agricultural and		
7	Mechanical University, Board		
8	of Trustees	<u>44,764,198</u>	<u>84,339,433</u>
			<u>129,103,631</u>
9	2. Alabama A and M University, Board of Trustees-Miles Col- lege Consortium:		
10	(a) Alabama A and M Univer- sity-Miles College Consor- tium	453,252	453,252
11	SOURCE OF FUNDS:		
12	(1) ETF	<u>453,252</u>	
13	Total Alabama A and M Univer- sity, Board of Trustees-Miles		
14	College Consortium	<u>453,252</u>	<u>453,252</u>
15	3. Alabama State University, Board of Trustees:		
16	(a) Operations and Maintenance and Program Support	47,600,726	34,694,156
17	The above appropriation for		82,294,882
18	Operations and Maintenance		
19	includes \$479,323 for Health		
20	Information Management,		
21	\$520,980 for Occupational		
22	Therapy, \$1,630,747 for Physi-		
23	cal Therapy Programs,		
24	\$1,657,477 for Title VI Pro-		
25	gram Enhancement, and \$184,906		
26	for Desegregation Planning		
27	pursuant to the Knight vs Ala-		
28	bama Final Settlement Agree-		
29	ment. Of the above appropri-		
30	ation, \$1,150,000 shall be ex-		
31	pended for Cooperative Efforts		
32	to Enhance Community Educa-		
33			
34			
35			
36			
37			
38			
39			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	tional Institutions; \$500,000		
2	shall be expended for the Mi-		
3	nority Technology Network and		
4	Center for Public Policy; and		
5	\$200,000 shall be expended for		
6	dormitory renovations.		
7	(b) Auxiliary Enterprises ...	12,135,266	12,135,266
8	(c) Restricted Funds	30,080,052	30,080,052
9	SOURCE OF FUNDS:		
10	(1) ETF	47,600,726	
11	(2) Federal and Other Funds .	76,909,474	
12	Total Alabama State Univer-		
13	sity, Board of Trustees	47,600,726	76,909,474
14			124,510,200
15	4. Alabama, University of, Board of Trustees:		
16	(a) Operations and Maintenance		
17	and Program Support for the		
18	University of Alabama at		
19	Tuscaloosa	175,866,813	227,270,211
20	The President of the Univer-		403,137,024
21	sity of Alabama shall imple-		
22	ment a Workforce Development		
23	plan utilizing the existing		
24	Minority Technology Network.		
25	Of the above appropriation to		
26	the University of Alabama at		
27	Tuscaloosa, \$200,000 shall be		
28	expended for the Special Out-		
29	reach Program; and \$250,000		
30	shall be expended for the Ala-		
31	abama Center for Civic Life		
32	(the David Matthews Center).		
33	(b) Operations and Maintenance		
34	and Program Support for the		
35	University of Alabama at		
36	Birmingham	310,812,677	1,276,598,718
37	Of the above appropriation,		1,587,411,395
38	\$500,000 shall be expended for		
39	the Minority Business Train-		
40	ing-Economic Development Pro-		
41	gram; \$150,000 shall be ex-		
42	pended for the Gregory Fleming		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	James Cystic Fibrosis Program; \$175,000 shall be expended for the High School Athletic Training Program.		
2			
3			
4			
5	(c) Operations and Maintenance and Program Support for the University of Alabama in Huntsville	51,529,718	49,817,936
6			101,347,654
7			
8			
9	(d) Special Mental Health and Chauncey Sparks Center for Developmental and Learning Disorders, University of Alabama at Birmingham	4,298,696	4,298,696
10			
11			
12			
13			
14			
15	(e) School of Optometry Fund-Transfer to University of Alabama at Birmingham School of Optometry	70,000	70,000
16			
17			
18			
19	(f) Auxiliary Enterprises ...	149,796,493	149,796,493
20			
21	(g) Restricted Funds	492,155,000	492,155,000
22			
23	(h) University of Alabama at Birmingham Cancer Center ..	5,000,000	5,000,000
24			
25			
26			
27			
28	SOURCE OF FUNDS:		
29			
30	(1) ETF	547,507,904	
31			
32	(2) Federal and Other Funds .	<u>2,195,708,358</u>	
33			
34	Total Alabama, University of, Board of Trustees	547,507,904	2,195,708,358
35			<u>2,743,216,262</u>
36			
37			
38			
39			
40			

5. **Auburn University, Board of
Trustees:**

30	(a) Operations and Maintenance and Program Support, Auburn University	191,761,222	286,501,668	478,262,890
31				
32				
33	Of the above appropriation, \$900,000 shall be expended for			
34	the School of Pharmacy for			
35	biotechnical drug development			
36	and enhancing pharmaceutical			
37	science research leading to			
38	new drugs, which is complimen-			
39	tary to other biomedical re-			
40				

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	search underway in Alabama; \$75,000 shall be expended for the Jules Collins Smith Art Museum; \$135,000 shall be expended to provide economic research services to the State of Alabama, Department of Finance; and \$50,000 shall be expended for the Ralph Brown Draughon Library.		
11	(b) Auxiliary Enterprises ...	93,807,160	93,807,160
12	(c) Restricted Funds	145,247,819	145,247,819
13	(d) Operations and Maintenance and Program Support, Alabama Agricultural Experiment Station	35,695,461	41,162,321
17	Of the above appropriation, \$180,000 shall be expended for fire ant eradication/research at the Department of Entomology. Of the above appropriation, \$50,000 shall be expended for poultry research.		
24	(e) Operations and Maintenance and Program Support, Alabama Cooperative Extension System	38,348,072	38,348,072
28	(f) Operations and Maintenance and Program Support, Auburn University at Montgomery .	27,899,629	23,981,067
31	Of the above appropriation to Auburn University at Montgomery, \$327,500 shall be expended for the Statewide Economic Resources Initiative Education Support (S.E.R.I.E.S.) Program to provide a statewide economic impact education support system dedicated to providing technological capabilities to government agencies; \$135,000 shall be expended for the further implementation of SMART Governing; \$135,000 shall be		51,880,696

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	expended for the GAAT/CPM Pro-		
2	gram; and \$200,000 shall be		
3	expended for the Judicial Col-		
4	lege.		
5	SOURCE OF FUNDS:		
6	(1) ETF	293,704,384	
7	(2) Federal and Other Funds .	<u>555,004,574</u>	
8	Total Auburn University, Board		
9	of Trustees	<u>293,704,384</u>	<u>555,004,574</u>
			<u>848,708,958</u>

10 **6. Education, State Board of -**
 11 **Athens State University:**

12	(a) Operations and Maintenance		
13	and Program Support	13,807,242	10,686,500
14			24,493,742
15	(b) Auxiliary Enterprises ...	87,000	87,000
16	(c) Restricted Funds	16,650,000	16,650,000

17 SOURCE OF FUNDS:

18	(1) ETF	13,807,242	
19	(2) Federal and Other Funds .	<u>27,423,500</u>	
20	Total Education, State Board		
21	of - Athens State University	<u>13,807,242</u>	<u>27,423,500</u>
			<u>41,230,742</u>

22 **7. Jacksonville State Univer-**
 23 **sity, Board of Trustees:**

24	(a) Operations and Maintenance		
25	and Program Support	44,339,200	43,968,090
26	Of the above appropriation,		
27	\$1,500,000 shall be expended		
28	by the Alabama Small Business		
29	Institute of Commerce;		
30	\$250,000 shall be expended for		
31	the Wellness Initiative; and		
32	\$250,000 shall be expended for		
33	the Little River Canyon Field		
34	School.		
35	(b) Auxiliary Enterprises ...	6,024,142	6,024,142
36	(c) Restricted Funds	20,904,413	20,904,413

Education Trust Fund	Earmarked Funds	Appropriation Total
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1 SOURCE OF FUNDS:

2 (1) ETF 44,339,200

3 (2) Federal and Other Funds . 70,896,6454 Total Jacksonville State Uni-
5 versity, Board of Trustees .. 44,339,200 70,896,645 115,235,8456 **Montevallo, University of,
7 Board of Trustees:**

8 (a) Operations and Maintenance 9 and Program Support	21,787,526	16,555,973	38,343,499
10 (b) Auxiliary Enterprises ...		4,663,541	4,663,541
11 (c) Restricted Funds		8,630,588	8,630,588

12 SOURCE OF FUNDS:

13 (1) ETF 21,787,526

14 (2) Federal and Other Funds . 29,850,10215 Total Montevallo, University
16 of, Board of Trustees 21,787,526 29,850,102 51,637,62817 **North Alabama, University
18 of, Board of Trustees:**

19 (a) Operations and Maintenance 20 and Program Support	30,741,447	31,092,921	61,834,368
21 (b) Auxiliary Enterprises ...		7,594,179	7,594,179
22 (c) Restricted Funds		6,672,410	6,672,410

23 SOURCE OF FUNDS:

24 (1) ETF 30,741,447

25 (2) Federal and Other Funds . 45,359,51026 Total North Alabama, Univer-
27 sity of, Board of Trustees .. 30,741,447 45,359,510 76,100,95728 **South Alabama, University of,
29 Board of Trustees:**

30 (a) Operations and Maintenance 31 and Program Support	121,854,973	368,257,907	490,112,880
32 (b) Auxiliary Enterprises ...		17,890,115	17,890,115

Education Trust Fund	Earmarked Funds	Appropriation Total
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1 (c) Restricted Funds	44,887,500	44,887,500
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2 SOURCE OF FUNDS:

3 (1) ETF	121,854,973
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4 (2) Federal and Other Funds ..	<u>431,035,522</u>
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5 Total South Alabama, University of, Board of Trustees ..	121,854,973	431,035,522	<u>552,890,495</u>
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7 **11. Troy University, Board of
8 Trustees:**

9 (a) Operations and Maintenance 10 and Program Support	55,095,408	145,208,570	200,303,978
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11 Of the above appropriation,
12 \$50,000 shall be expended for
13 the Interpreter's Program;
14 \$50,000 shall be expended for
15 the Center for International
16 Business and Economic Develop-
17 ment; and \$50,000 shall be
18 expended as an additional al-
19 location for the Phenix City
20 Campus.

21 (b) Auxiliary Enterprises ...	11,359,559	11,359,559
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22 (c) Restricted Funds	17,343,374	17,343,374
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23 SOURCE OF FUNDS:

24 (1) ETF	55,095,408
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25 (2) Federal and Other Funds ..	<u>173,911,503</u>
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26 Total Troy University, Board 27 of Trustees	55,095,408	173,911,503	<u>229,006,911</u>
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28 **12. West Alabama, University of,
29 Board of Trustees:**

30 (a) Operations and Maintenance 31 and Program Support	15,201,477	8,795,358	23,996,835
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32 Of the above appropriation,
33 \$645,000 shall be expended for
34 the Alabama Medical Education
35 Consortium; \$250,000 shall be
36 expended for the Economic and
37 Small Business Development

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Program; \$125,000 for the Re-		
2	gional Wellness and Fitness		
3	Center; \$45,000 shall be ex-		
4	pended for the National Young		
5	Farmers Education Association;		
6	and \$225,000 shall be expended		
7	for the Black Belt Treasures		
8	Initiative.		
9	(b) Auxiliary Enterprises ...	3,337,416	3,337,416
10	(c) Restricted Funds	658,777	658,777
11	SOURCE OF FUNDS:		
12	(1) ETF	15,201,477	
13	(2) Federal and Local Funds .	<u>12,791,551</u>	
14	Total West Alabama, University		
15	of, Board of Trustees	15,201,477	<u>12,791,551</u>
			<u>27,993,028</u>

16 **3D. Other:**

17 **1. Deaf and Blind, Alabama In-**
 18 **stitute for, Board of Trust-**
 19 **ees:**

20	(a) Adult Programs	11,466,158	5,955,910	17,422,068
21	(b) Children and Youth Pro-			
22	grams	30,858,992	4,502,082	35,361,074
23	(c) Industries for the Blind	9,295,480	21,901,031	31,196,511

24 SOURCE OF FUNDS:

25	(1) ETF	51,620,630		
26	(2) Federal and Other Funds .	<u>32,359,023</u>		
27	Total Deaf and Blind, Alabama			
28	Institute for, Board of Trust-			
29	ees	51,620,630	32,359,023	<u>83,979,653</u>

30 **2. Knight v. Alabama - Finan-**
 31 **cial Obligations:**

32	(a) Support of State Universi-			
33	ties Program, Estimated ...	9,743,354	9,743,354	
34	Pursuant to the Settlement			
35	Agreement and Final Order in			
36	the Knight v. Alabama case			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	CV-83-M-1676, the appropria-		
2	tion above includes the fol-		
3	lowing:		
4	Alabama State		
5	Univer-		
6	sity-Trust for		
7	Educational Ex-		
8	cellence 1,000,000		
9	Alabama State		
10	Univer-		
11	sity-Trust for		
12	Educational Ex-		
13	cellence Match-		
14	ing Funds of up		
15	to 1,000,000		
16	To provide up to \$1,000,000 to		
17	the extent same has been		
18	matched by gifts, grants, and		
19	contributions to the Trust.		
20	Alabama A & M		
21	Univer-		
22	sity-Trust for		
23	Educational Ex-		
24	cellence 1,000,000		
25	Alabama A & M		
26	Univer-		
27	sity-Trust for		
28	Educational Ex-		
29	cellence Match-		
30	ing Funds of up		
31	to 1,000,000		
32	To provide up to \$1,000,000 to		
33	the extent same has been		
34	matched by gifts, grants, and		
35	contributions to the Trust.		
36	Alabama State		
37	University-for		
38	Scholarships to		
39	Diversify Funds		
40	of up to 1,000,000		
41	To provide up to \$1,000,000		
42	pursuant to the requirements		
43	of the Settlement Agreement		
44	and Final Order. Any funds		
45	remaining after the payment of		

	Education Trust Fund	Earmarked Funds	Appropriation Total
1	the scholarships shall be transferred to the Alabama Commission on Higher Education-Alabama Student Assistance Program fund and shall not revert to the ETF at the end of the fiscal year.		
2			
3			
4			
5			
6			
7			
8	Alabama A & M University-for Scholarships to Diversify Funds of up to	1,000,000	
9			
10			
11			
12			
13	To provide up to \$1,000,000 pursuant to the requirements of the Settlement Agreement and Final Order. Any funds remaining after the payment of the scholarships shall be transferred to the Alabama Commission on Higher Education-Alabama Student Assistance Program fund and shall not revert to the ETF at the end of the fiscal year.		
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25	EdD Educational Leadership, Policy & Law	2,307,502	
26			
27			
28	Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the seventh year of eight years of funding for this program.		
29			
30			
31			
32			
33			
34			
35	PhD in Microbiology	1,435,852	
36			
37	Based on funding formula calculations provided by the Alabama Commission on Higher Education. This appropriation is the third year of eight years of funding for this program.		
38			
39			
40			
41			
42			
43	SOURCE OF FUNDS:		
44	(1) ETF	9,743,354	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
Total Knight v. Alabama - Financial Obligations	9,743,354	9,743,354	

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

Section 4. The following appropriations from the Education Trust Fund for FY 2009 are hereby appropriated to the following entities as first priority conditional appropriations. These appropriations are conditioned upon the availability of funds in the Education Trust Fund, the recommendation of the Director of Finance and the approval of the Governor. The Governor may release any portion or all of the following first priority conditionals, however, the entire amounts of the first priority conditionals must be released before any other conditional appropriation from the Education Trust Fund for FY 2009 may be released.

a. Alabama Institute for Deaf and Blind

1. Adult Program \$222,124

2. Children and Youth Programs \$597,803

3. Industries for the Blind \$180,073

1	b.	Department of Archives and History	\$1,000,000
2	c.	Department of Rehabilitation Services	
		Children's Rehabilitation Services Pro-	
3	1.	gram	\$338,586
4	2.	Early Intervention Program	\$173,702
5	3.	Homebound Program	\$136,327
6	4.	Hemophilia Program	\$39,358
7	5.	Rehabilitation Services Program	\$312,027
		Two-year College System-Community Edu-	
8	d.	cational (C.I.T.Y.) Programs	\$1,000,000
		Alabama Industrial Development Training	
9	e.	Institute-Workforce Development	\$3,000,000
		State Board of Education-Local Boards	
10	f.	Transportation Program	\$4,000,000
11	g.	Senior Institutions of Higher Education	
12		Alabama A&M University	\$357,552
13		Alabama State University	\$348,112
14		University of Alabama-Tuscaloosa	\$1,433,661
15		University of Alabama at Birmingham	\$2,566,684

1	University of Alabama in Huntsville	\$427,112
2	Auburn University	\$1,576,221
3	Agricultural Experiment Station	\$292,717
4	Cooperative Extension Service	\$316,196
5	Auburn University Montgomery	\$224,391
6	Athens State University	\$113,614
7	Jacksonville State University	\$349,899
8	University of Montevallo	\$179,346
9	University of North Alabama	\$253,976
10	University of South Alabama	\$1,008,355
11	Troy University	\$438,846
12	University of West Alabama	\$113,318
13	h. K-12 Foundation Program-Textbooks	\$13,014,907

1 tions of interest from their Sixteenth Section Land Grants
2 held in trust by the State of Alabama, to be conditioned upon
3 the availability of funds, the recommendation of the Finance
4 Director, and approval of the Governor. This conditional ap-
5 propriation is pursuant to the Class Settlement Agreement
6 signed by the Covington County Circuit Court on December 9,
7 2004.

Distribution of

	School System Name	Interest
8	Autauga County	\$2,152
9	Baldwin County	55,478
10	Barbour County	341
11	Bibb County	13,475
12	Blount County	5,573
13	Calhoun County	567,608
14	Piedmont City	120
15	Cherokee County	35,893
16	Chilton County	19,172
17	Choctaw County	254,676

1	Clarke County	265,845
2	Thomasville City	17,620
3	Clay County	273
4	Cleburne County	1,819
5	Coffee County	15,199
6	Elba City	303
7	Enterprise City	271
8	Colbert County	862,096
9	Muscle Shoals City	58,834
10	Sheffield City	10,699
11	Tuscumbia City	56,553
12	Conecuh County	46
13	Coosa County	7,812
14	Covington County	1,335,886
15	Andalusia City	188,267
16	Opp City	161,250
17	Cullman County	95,546
18	Dale County	1,177

1	Daleville City	892
2	Dallas County	2,471
3	Selma City	1,266
4	DeKalb County	16,101
5	Fort Payne City	1,420
6	Elmore County	19,248
7	Tallassee City	1,156
8	Escambia County	249,835
9	Brewton City	20,523
10	Etowah County	107
11	Gadsden City	29
12	Fayette County	29,036
13	Franklin County	622,371
14	Russellville City	130,179
15	Geneva County	510,370
16	Geneva City	41,626
17	Greene County	258,426
18	Hale County	19,343

1	Henry County	32,646
2	Houston County	107,277
3	Dothan City	649
4	Jackson County	123,983
5	Scottsboro City	2,034
6	Jefferson County	1,320,529
7	Birmingham City	297
8	Lamar County	1,621
9	Lauderdale County	271,761
10	Florence City	18,953
11	Lawrence County	5,169
12	Limestone County	285
13	Athens City	6,630
14	Lowndes County	1,210
15	Macon County	13,766
16	Madison County	61
17	Huntsville City	522
18	Madison City	108

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

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

1 ditioned upon the availability of funds, recommendation of the
2 Director of Finance, and the approval of the Governor:

	Entity	Appropriation
	Department of Education-for Heart	
4 a.	Defibrillators	\$1,000,000
	Department of Education-Teacher Re-	
5 b.	cruitment Incentives	\$2,725,000
	Department of Education-On line	
6 c.	Professional Development	\$800,000
	Department of Education-High Hopes	
7 d.	for other targeted grades	\$4,331,935
	Department of Education-Gifted Edu-	
8 e.	cation	\$2,337,400
	Department of Education-Career Tech	
9 f.	Initiative	\$2,500,000
	Department of Education-Children's	
10 g.	Hospital	\$20,000
	Department of Education-PACERS Pro-	
11 h.	gram	\$250,000
	Department of Education-School Bus	
12 i.	Seat Belts Pilot	\$329,220
13 j.	Department of Education-Principal	\$650,000

Preparation Redesign

Department of Education-Principal

14 k. Leadership Program \$750,000

Department of Education-Training

15 l. for Interpreters for Deaf \$250,000

Department of Education-21st Century After School/Extended Day Pro-

16 m. grams \$1,000,000

K-12 Foundation Pro-

17 n. gram-Transportation \$8,000,000

K-12 Foundation Program-Student Ma-

18 o. terials and Supplies \$6,066,409

K-12 Foundation Program-Technology

19 p. \$4,853,120

K-12 Foundation Program-Library En-

20 q. hancement \$1,213,294

K-12 Foundation Pro-

21 r. gram-Professional Development \$2,669,232

K-12 Foundation Program-Common Pur-

22 s. chase Fund \$3,639,831

Two-year College System-Prison Edu-

23 t. cation (For Therapeutic Education) \$5,300,000

Two-year College System-Adult Basic

24 u. Education \$4,000,000

1	v.	Educational Television Commission	\$2,000,000
		Higher Education, Commission	
2	w.	on-Agricultural Land Grant Alliance	\$6,400,000
		Department of Public Health-for	
		Continuing Education for EMT Per-	
3	x.	sonnel	\$500,000
		With the above appropriation, the	
		Department of Public Health shall	
		offer performance-based awards to	
		regional EMS agencies for the pur-	
		pose of providing continuing educa-	
		tion to EMT's and strengthening the	
4		EMS infrastructure.	
5	y.	Alabama A&M University	\$715,105
6	z.	Alabama State University	\$696,225
7	aa.	University of Alabama-Tuscaloosa	\$2,867,320
8	bb.	University of Alabama at Birmingham	\$5,133,369
9	cc.	University of Alabama in Huntsville	\$854,223
10	dd.	Auburn University	\$3,152,441
		Agricultural Experiment Station -	
11	ee.	Auburn	\$585,435
		Cooperative Extension Service - Au-	
12	ff.	burn	\$632,392

1	gg.	Auburn University Montgomery	\$448,783
2	hh.	Athens State University	\$227,229
3	ii.	Jacksonville State University	\$699,797
4	jj.	University of Montevallo	\$358,692
5	kk.	University of North Alabama	\$507,952
6	ll.	University of South Alabama	\$2,016,710
7	mm.	Troy University	\$1,680,577
8	nn.	University of West Alabama	\$226,636
		Department of Mental Health and	
9	oo.	Mental Retardation	\$3,800,000

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 9. 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

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

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

17 Section 11. Nothing in this act shall be construed
18 to affect or repeal any law authorizing or permitting any
19 college, school or other education or eleemosynary institution
20 of the State to receive, collect or disburse any fees,
21 tuitions, charges, sales, endowments, trusts or income
22 therefrom, which are now or may hereafter be authorized to
23 receive, collect or disburse. The receiving college, school or
24 institution shall further maintain separate accounts for such
25 receipts or shall maintain a system of accounting which will

1 show a cash flow of such receipts received under the provision
2 of this appropriation.

3 Section 12. The appropriations made herein to the
4 departments, boards, offices, commissions, and agencies
5 include the amount necessary and said departments, boards,
6 offices, commissions, and agencies are hereby directed to make
7 the transfer of funds to the State Personnel Department in the
8 amounts enumerated in the general appropriations act for the
9 fiscal year ending September 30, 2009. All agencies and
10 institutions enumerated in this act that receive services from
11 other governmental agencies enumerated in this act or the
12 general appropriations act shall make full payment in a timely
13 manner (as determined by the Department of Finance) for such
14 services.

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

23 Section 14. Upon certification to the Director of
24 Finance by the State Attorney General that a federal court has
25 ordered the State of Alabama to pay claims, attorney fees, or

1 other costs relating to said court order, funds are hereby
2 appropriated to the affected department, board, bureau, or
3 commission in the amount necessary to satisfy that court
4 order. Such appropriations are in addition to any other
5 appropriation heretofore or hereafter made in this
6 appropriation act. Such appropriations are conditioned upon
7 the availability of funds and a determination by the Director
8 of Finance that other current appropriations are not available
9 for court-ordered payments.

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

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

1 regular session of the Legislature on the impact of this
2 section on the local Child Nutrition Programs.

3 Section 16. For FY 2009, local boards of education
4 may exercise flexibility among line item expenditures, with
5 the exception of the \$400 per unit earned in the Foundation
6 Program for classroom materials and supplies, not to exceed
7 20% in any line item and not to create a reduction of earned
8 teacher units and/or local board of education support
9 personnel.

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

18 Section 18. There is hereby appropriated an amount
19 up to \$2,988,874 from the Education Trust Fund for the 3.5%
20 state employee pay raise effective on October 1, 2008 that was
21 authorized in Act 2007-297. This appropriation is in addition
22 to other appropriations made in this act from the Education
23 Trust Fund for FY 2009 and shall be distributed by the
24 Director of Finance to those agencies based on the salaries
25 subject to the 3.5% increase effective October 1, 2008.

1 Section 19. Any amounts that may become due and
2 payable of Public School and College Authority Swaptions are
3 hereby authorized to be paid in the same manner as other debt
4 service on Public School and College Authority bonds.

5 Section 20. Notwithstanding any other provisions of
6 this act or any other act, any amount from appropriations for
7 the fiscal year ending September 30, 2008 from the Education
8 Trust Fund to the various entities in this act which were
9 unexpended and reverted on September 30, 2008 are hereby
10 reappropriated to the respective entities for the fiscal year
11 beginning October 1, 2008.

12 Section 21. If any section, paragraph, sentence,
13 clause, provision or portion of this act or all or any portion
14 of the appropriations herein made is held unconstitutional or
15 invalid, it shall not affect any other section, paragraph,
16 sentence, clause, provision or portion of this act or any
17 other appropriation or appropriations or portion thereof
18 hereby made not in and of itself unconstitutional or invalid.

19 Section 22. All laws or parts of laws, general,
20 special, private or local in conflict with or inconsistent
21 with the provisions of this act are hereby expressly repealed.

22 Section 23. This act shall become effective on
23 October 1, 2008.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

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SB51

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Senate 29-MAY-08

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

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McDowell Lee
Secretary

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17

House of Representatives

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Passed: 31-MAY-08

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20

21

By: Senator Sanders