

1 HB272  
2 115355-1  
3 By Representatives Lindsey, Gipson, Bentley, Buskey, Kennedy,  
4 Greeson, Oden, Taylor, Letson, Hinshaw, Rogers, Fields, Graham  
5 and Boyd  
6 RFD: Education Appropriations  
7 First Read: 14-JAN-10

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8 SYNOPSIS: This bill makes an appropriation of  
9 \$9,703,990 from the Education Trust Fund to  
10 Tuskegee University in Tuskegee, Alabama for the  
11 support and maintenance of the educational program  
12 of the institution, for the fiscal year ending  
13 September 30, 2011; provides that the appropriation  
14 is subject to certain provisions of the Code of  
15 Alabama 1975; requires an operations plan and an  
16 audited financial statement prior to the release of  
17 any funds; and requires an end of year report.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT

22  
23 To make an appropriation of \$9,703,990 from the  
24 Education Trust Fund to Tuskegee University in Tuskegee,  
25 Alabama for the support and maintenance of the educational  
26 program of the institution, for the fiscal year ending  
27 September 30, 2011; to provide that the appropriation is

1 subject to certain provisions of the Code of Alabama 1975; to  
2 require an operations plan and an audited financial statement  
3 prior to the release of any funds; and to require an end of  
4 year report.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Tuskegee University has a unique  
7 relationship to the State of Alabama. Due to the unique nature  
8 of the circumstances related to the establishment and  
9 development of Tuskegee Institute which differs from that of  
10 private schools and colleges receiving funds from the state  
11 and from the state's public colleges and universities, the  
12 institution should be afforded a unique treatment relative to  
13 funding from the Education Trust Fund. Tuskegee Institute was  
14 established by an act of the Legislature in 1881 and  
15 separately incorporated by an act of the Legislature in 1892;  
16 the Governor appoints five commissioners who serve as voting  
17 members on the Tuskegee Board; and the State Superintendent of  
18 Education serves as an ex officio voting commissioner on the  
19 Tuskegee Board. Tuskegee has received appropriations from the  
20 Legislature since 1881. Being a private institution as well as  
21 a state related and supported institution, it is deemed that  
22 Tuskegee University should be funded accordingly and not as  
23 the private schools and colleges nor as the state public  
24 colleges and universities are funded.

25 Section 2. There is hereby appropriated the sum of  
26 \$9,703,990 from the Education Trust Fund to Tuskegee  
27 University in Tuskegee, Alabama for the support and

1 maintenance of the educational program of the institution, for  
2 the fiscal year ending September 30, 2011. Of the above  
3 appropriation, at least \$1,414,586 shall be expended for the  
4 agricultural research and extension service state match.

5 Section 3. The above appropriation is made for the  
6 support of public education in Alabama and for the support and  
7 maintenance of the above program. The appropriation shall be  
8 subject to the provisions, terms, conditions, and limitations  
9 of the Budget and Financial Control Act, Section 41-4-80 et  
10 seq., Code of Alabama 1975, the provisions of The Budget  
11 Management Act of 1976, Section 41-19-1 et seq., Code of  
12 Alabama 1975, and any other provisions of this act.

13 Section 4. (a) Prior to the release of any funds  
14 appropriated under this act the following reports shall be  
15 submitted:

16 (1) An operations plan for the fiscal year  
17 2010-2011, including goals and measurable performance  
18 indicators, shall be submitted to and approved by the Director  
19 of Finance, as provided for state agencies in Section 41-19-10  
20 of the Code of Alabama 1975.

21 (2) An audited financial statement for all  
22 operations during the fiscal year 2008-2009.

23 (b) It is the intent that funds appropriated for  
24 fiscal year 2010-2011 shall be released by the Director of  
25 Finance following receipt of the above reports.

26 (c) In addition, quarterly reports shall be made to  
27 the Director of Finance relating actual expenditures and

1 accomplishments to planned expenditures and accomplishments.  
2 An end of year performance report for the fiscal year  
3 2010-2011 shall be made to the Director of Finance stating the  
4 work accomplished and the services provided and the costs of  
5 accomplishing the work and providing the services, citing  
6 meaningful measures of program effectiveness and costs, as is  
7 required for state agencies in Section 41-19-11 of the Code of  
8 Alabama 1975.

9 (d) The Director of Finance shall forward a copy of  
10 all required reports to the Joint Fiscal Committee in a timely  
11 manner.

12 Section 5. This act shall become effective October  
13 1, 2010.