

1 HB562
2 140168-4
3 By Representative Barton
4 RFD: Ways and Means General Fund
5 First Read: 15-MAR-12

1 the purposes designated in Section 41-15B-2.2, Code of Alabama
2 1975 as follows, per the approved plan of investment for each
3 agency:

4	Alcoholic Beverage Control Board	400,458
5	Children's Trust Fund	2,002,291
6	Department of Forensic Sciences	400,458
7	Alabama Department of Human Resources	8,009,165
8	<u>Of the above appropriation to the Department of</u>	
9	<u>Human Resources, \$744,832 shall be allocated to</u>	
10	<u>the Alabama Network of Children's Advocacy Cen-</u>	
11	<u>ters for operations and maintenance and \$125,000</u>	
12	<u>for Voices for Alabama's Children to provide re-</u>	
13	<u>search on the status of child wellness.</u>	
14	Juvenile Probation Services Fund	4,004,583
15	Alabama Medicaid Agency	1,401,604
16	Alabama Department of Mental Health	2,002,291
17	State Multiple Needs Children's Fund	2,002,291
18	Department of Public Health	4,004,583
19	Department of Rehabilitation Services	200,229
20	Department of Youth Services	6,807,791

21 There is hereby appropriated from the Children First
22 Trust Fund \$1,000,000 for the fiscal year ending September 30,

1 2013, in partial satisfaction of the sum due to the University
2 of South Alabama from the State of Alabama pursuant to the
3 December 20, 1999, tobacco litigation settlement.

4 (b) Notwithstanding any provision of Division 1 of
5 Article 17 of Chapter 10 of Title 41, Code of Alabama 1975,
6 any provision of Chapter 15B of Title 41, Code of Alabama
7 1975, or any other provision of law, that portion of Children
8 First Trust Fund receipts currently allocated for the State
9 Board of Education shall be transferred from the Children
10 First Trust Fund to the State General Fund during the fiscal
11 year ending September 30, 2013.

12 (c) (1) All tobacco revenues from the tobacco
13 settlement received by the state previously designated for the
14 Children First Trust Fund shall be deposited to the Children
15 First Trust Fund within 30 calendar days of receipt of those
16 tobacco revenues.

17 (2) The Director of Finance shall notify each agency
18 and the Department of Children's Affairs in writing prior to
19 September 1, 2012, of the dollar amount of the allocation
20 expected to be received by the agency from the Children First
21 Trust Fund in the fiscal year ending September 30, 2013.

22 (3) At the beginning of each quarter of the fiscal
23 year ending September 30, 2013, the respective agency shall be
24 allocated at least one-fourth of the total amount appropriated
25 and allocated to the agency for that fiscal year when tobacco
26 revenues are available for the respective agency. In the event
27 tobacco revenues are not available for the respective agency

1 until later in the fiscal year then the respective agency
2 shall be allocated an equal quarterly allotment for the
3 quarters that funds are available at the beginning of those
4 quarters. Such allocation shall be made and be available for
5 expenditure by the agency within five working days of the
6 commencement of the quarter. If additional sums are
7 appropriated or allocated, or both, during the fiscal year,
8 these sums shall be equally allocated to the respective agency
9 among the remaining quarters of the fiscal year or may be
10 allocated to the respective agency in one sum if revenues are
11 available. The Department of Children's Affairs shall be
12 notified in writing of all appropriations and allocations from
13 the Children First Trust Fund by the Director of Finance.

14 (4) Allocations from the Children First Trust Fund
15 are conditioned upon the receipt of tobacco revenues.

16 (d) Allocations received pursuant to Section 1 shall
17 be expended in accordance with Section 41-15B-2.2, Code of
18 Alabama 1975.

19 (e) At the conclusion of the fiscal year, any
20 remaining sums in the Children First Trust Fund shall remain
21 in the fund and shall not revert to the General Fund or to any
22 other fund, except as provided by HB ____ or SB ____ of the
23 2012 Regular Session, if enacted into law.

24 Section 2. In addition to the appropriation herein
25 above made, there is hereby appropriated from additional to-
26 bacco settlement funds the sum of \$45,084,505 for the fiscal
27 year ending September 30, 2013 to the following entities:

1	Department of Children's Affairs	242,208
2	21st Century Debt Service	13,000,000
3	Senior Services Trust Fund	1,312,437
4	Alabama Medicaid Agency	27,561,207
5	Department of Senior Services - Medicaid Waiver	1,968,653

6 There is hereby appropriated \$1,000,000 for the
7 fiscal year ending September 30, 2013, in partial satisfaction
8 of the sum due to the University of South Alabama from the
9 State of Alabama pursuant to the December 20, 1999, tobacco
10 litigation settlement.

11 Section 3. Any additional tobacco revenues available
12 for the fiscal year ending September 30, 2013, shall be
13 conditionally appropriated, conditioned upon the
14 recommendation of the Director of Finance, the Chairman of the
15 House Ways and Means General Fund Committee and the Chairman
16 of the Senate Finance and Taxation-General Fund Committee, and
17 approval of the Governor.

18 Section 4. The Executive Budget Office and the
19 Director of Finance shall allot funds appropriated from the
20 Children First Trust Fund only following the certification by
21 the Commissioner of the Department of Children's Affairs that
22 a plan of investment has been approved for each agency. The
23 Commissioner of the Department of Children's Affairs shall
24 prescribe the form and format on which each agency receiving

1 appropriated funds herein shall submit a plan of investment of
2 said appropriated funds. The plan of investment shall include,
3 but not be limited to, a minimum of four (4) quality assurance
4 items on which a periodic report, as required by the approved
5 plan of investment, is made and as audited by the Examiners of
6 Public Accounts. Quality assurance items shall include the
7 number of children receiving service, an identifiable measure
8 of success of services provided and a prioritized standard of
9 successful measures for future plans of investment. It is the
10 intent of the Legislature that the Commissioner of the
11 Department of Children's Affairs shall be responsible for
12 providing a standard of measurement by which a clear
13 determination can be made through operational reporting and
14 audit reporting of a measurable success of funds appropriated
15 and invested from the Children First Trust Fund; insure funds
16 appropriated herein are invested in viable programs; insure
17 and promote the leverage of appropriated funds herein in every
18 possible manner and coordinated in all possible ways the
19 investment of funds by each service provider to insure that no
20 unproductive expenditures or duplication occurs. The
21 Commissioner of the Department of Children's Affairs shall
22 notify legislators representing the area where a grant from
23 the Children First Trust Fund is designated. The notification
24 shall occur ten days before the funds reach the recipient
25 agency.

26 Section 5. The Commissioner of the Department of
27 Children's Affairs shall report each approved plan of

1 investment to the Joint Interim Legislative Oversight
2 Committee and the Alabama Children's Policy Council. The
3 Commissioner, upon the request of the service agency, may
4 approve an adjusted plan of investment. It is the intent of
5 the Legislature that funds appropriated from the Children
6 First Trust Fund be directed to meet the most immediate needs
7 of children as changing conditions may develop.

8 Section 6. Should any provision of this act be held
9 invalid, the invalidity thereof shall not affect the remaining
10 provisions of the act.

11 Section 7. This act shall become effective
12 immediately upon its passage and approval by the Governor, or
13 upon its otherwise becoming a law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Ways and Means
General Fund..... 15-MAR-12

Read for the second time and placed
on the calendar with 1 substitute
and..... 05-APR-12

Read for the third time and passed
as amended..... 10-APR-12
Yeas 98, Nays 0, Abstains 0

Motion to reconsider adopted by Voice Vote.....10-APR-12

Read for the third time and passed as
amended..... 10-APR-12
Yeas 96, Nays 2, Abstains 0

Greg Pappas
Clerk