

1 SB303  
2 136004-3  
3 By Senator Pittman  
4 RFD: Finance and Taxation Education  
5 First Read: 14-FEB-12

1 SB303

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4 ENROLLED, An Act,

5 To make an appropriation of \$8,942,227 from the  
6 Education Trust Fund to Tuskegee University in Tuskegee,  
7 Alabama for the support and maintenance of the educational  
8 program of the institution, for the fiscal year ending  
9 September 30, 2013; to provide that the appropriation is  
10 subject to certain provisions of the Code of Alabama 1975; to  
11 require an operations plan and an audited financial statement  
12 prior to the release of any funds; and to require an end of  
13 year report.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Tuskegee University has a unique  
16 relationship to the State of Alabama. Due to the unique nature  
17 of the circumstances related to the establishment and  
18 development of Tuskegee Institute which differs from that of  
19 private schools and colleges receiving funds from the state  
20 and from the state's public colleges and universities, the  
21 institution should be afforded a unique treatment relative to  
22 funding from the Education Trust Fund. Tuskegee Institute was  
23 established by an act of the Legislature in 1881 and  
24 separately incorporated by an act of the Legislature in 1892;  
25 the Governor appoints five commissioners who serve as voting

1 members on the Tuskegee Board; and the State Superintendent of  
2 Education serves as an ex officio voting commissioner on the  
3 Tuskegee Board. Tuskegee has received appropriations from the  
4 Legislature since 1881. Being a private institution as well as  
5 a state related and supported institution, it is deemed that  
6 Tuskegee University should be funded accordingly and not as  
7 the private schools and colleges nor as the state public  
8 colleges and universities are funded.

9 Section 2. There is hereby appropriated the sum of  
10 \$8,942,227 from the Education Trust Fund to Tuskegee  
11 University in Tuskegee, Alabama for the support and  
12 maintenance of the educational program of the institution, for  
13 the fiscal year ending September 30, 2013. Of the above  
14 appropriation, at least \$1,284,788 shall be expended for the  
15 agricultural research and extension service state match.

16 Section 3. The above appropriation is made for the  
17 support of public education in Alabama and for the support and  
18 maintenance of the above program. The appropriation shall be  
19 subject to the provisions, terms, conditions, and limitations  
20 of the Budget and Financial Control Act, Section 41-4-80 et  
21 seq., Code of Alabama 1975, the provisions of The Budget  
22 Management Act of 1976, Section 41-19-1 et seq., Code of  
23 Alabama 1975, and any other provisions of this act.

1           Section 4. (a) Prior to the release of any funds  
2 appropriated under this act the following reports shall be  
3 submitted:

4           (1) An operations plan for the fiscal year  
5 2012-2013, including goals and measurable performance  
6 indicators, shall be submitted to and approved by the Director  
7 of Finance, as provided for state agencies in Section 41-19-10  
8 of the Code of Alabama 1975.

9           (2) An audited financial statement for all  
10 operations during the fiscal year 2010-2011.

11           (b) It is the intent that funds appropriated for  
12 fiscal year 2012-2013 shall be released by the Director of  
13 Finance following receipt of the above reports.

14           (c) In addition, quarterly reports shall be made to  
15 the Director of Finance relating actual expenditures and  
16 accomplishments to planned expenditures and accomplishments.  
17 An end of year performance report for the fiscal year  
18 2012-2013 shall be made to the Director of Finance stating the  
19 work accomplished and the services provided and the costs of  
20 accomplishing the work and providing the services, citing  
21 meaningful measures of program effectiveness and costs, as is  
22 required for state agencies in Section 41-19-11 of the Code of  
23 Alabama 1975.

1                   (d) The Director of Finance shall forward a copy of  
2 all required reports to the Joint Fiscal Committee in a timely  
3 manner.

4                   Section 5. This act shall become effective October  
5 1, 2012.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB303

Senate 02-MAY-12

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

Patrick Harris  
Secretary

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House of Representatives  
Passed: 10-MAY-12

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By: Senator Pittman