

1 SB394
2 134971-1
3 By Senator Allen
4 RFD: Finance and Taxation Education
5 First Read: 15-MAR-12

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8 SYNOPSIS: This bill would make a supplemental
9 appropriation from the Education Trust Fund for the
10 fiscal year ending September 30, 2012, in the
11 amount of \$32,906,007 to certain local boards of
12 education for the rebuilding of schools which
13 suffered catastrophic damage as a result of the
14 tornados on April 27, 2011.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 To make a supplemental appropriation from the
21 Education Trust Fund for the fiscal year ending September 30,
22 2012, in the amount of \$32,906,007 to certain local boards of
23 education for the rebuilding of schools which suffered
24 catastrophic damage as a result of the tornados on April 27,
25 2011.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. For the purposes of this act, the
2 following words have the following meanings:

3 (1) CATASTROPHE. The tornados that struck on April
4 27, 2011, and inflicted catastrophic damage to schools in this
5 state.

6 (2) CATASTROPHIC DAMAGE. Damage to schools which
7 resulted in schools and school facilities being either
8 completely destroyed or receiving substantial damage and being
9 rendered uninhabitable.

10 (3) DIVISION OF RISK MANAGEMENT. The Department of
11 Finance, Division of Risk Management.

12 (4) FEMA. The Federal Emergency Management Agency of
13 the United States Department of Homeland Security.

14 (5) REBUILDING COSTS. The replacement of schools and
15 school facilities consistent with an average unit cost for
16 like kind and quality construction based on a nationally
17 recognized database utilized by the Division of Risk
18 Management. Costs may include a square footage adjustment for
19 code upgrades, toilet facilities upgrades, American Disability
20 Act requirements, egress requirements, and educational program
21 requirements as determined by the State Superintendent of
22 Education.

23 Section 2. (a) The purpose of this act is to
24 implement Act 2011-231 of the 2011 Regular Session,
25 unanimously approved by both houses of the Legislature, and
26 signed by Governor Robert Bentley, in which the State of

1 Alabama committed to rebuilding of school facilities affected
2 by the tornado outbreak on April 27, 2011.

3 (b) The Legislature finds that there is an immediate
4 need to appropriate funds to rebuild schools and school
5 facilities that suffered catastrophic loss as a result of the
6 catastrophe on April 27, 2011, in order to allow local school
7 systems to immediately let bids for the schools and school
8 facilities with assurance that additional funds will be
9 available to cover the rebuilding cost of the schools and
10 school facilities after the final determination of all funds
11 available from FEMA, the Division of Risk Management, and any
12 other third-party payments from any other sources. The
13 Legislature further finds that the funds appropriated by this
14 act are consistent with a determination by the State
15 Department of Education that the schools suffered catastrophic
16 damage as a result of the catastrophe on April 27, 2011, and
17 that additional funds are needed to cover the rebuilding costs
18 of the schools and school facilities as provided herein.

19 Section 3. (a) There is appropriated from the Educa-
20 tion Trust Fund for the fiscal year ending September 30, 2012,
21 the amount of thirty-two million nine hundred eight thousand
22 seven dollars (\$32,908,007) to the following local boards of
23 education in the following amounts for the rebuilding costs of
24 schools and school facilities which suffered catastrophic dam-
25 age as a result of the catastrophe on April 27, 2011:

1	(1) DeKalb County Board of Education	
2	Plainview School	\$3,837,857
3	(2) Franklin County Board of Education	
4	Phil Campbell High School	\$11,673,678
5	(3) Marion County Board of Education	
6	Hackleburg Elementary and High School	\$13,836,740
7	(4) Tuscaloosa City Board of Education	
8	Alberta Elementary School and Univer-	
9	sity Place Elementary School	\$2,440,607
10	(5) Tuscaloosa County Board of Educa-	
11	tion	
12	Holt Elementary School	\$1,119,125

13 (b) The appropriation provided by this act shall be
 14 used to pay the rebuilding costs to rebuild the schools and
 15 school facilities designated in subsection (a) after all
 16 payments from FEMA, the Division of Risk Management, and any
 17 other third-party payments. Funds may be released in order to
 18 make construction payments subject to a final determination of
 19 the rebuilding costs of a school and school facilities as
 20 determined by the State Superintendent of Education within the
 21 amount appropriated for each school system pursuant to
 22 subsection (a).

1 Section 4. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.