

1 HB124
2 115347-1
3 By Representatives Wren, Baker (A), Clouse, Curtis, Ford,
4 Gaston, Fincher, Ison and Grimes
5 RFD: Education Appropriations
6 First Read: 12-JAN-10
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8 SYNOPSIS: This bill creates the Alabama Prepaid
9 Affordable College Tuition (PACT) Program Advisory
10 Task Force. This bill also provides for the
11 membership and purposes of the Task Force.
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13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 To create the Alabama Prepaid Affordable College
18 Tuition (PACT) Program Advisory Task Force; and to provide for
19 the membership and purposes of the Task Force.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. The Legislature makes the following
22 findings:

23 (1) The Legislature finds that the Alabama Prepaid
24 Affordable College Tuition (PACT) Program serves the
25 legitimate purpose of encouraging timely financial planning
26 for higher education.

1 (2) Since the program's inception, many Alabamians
2 have entered into PACT contracts with either specific or
3 implied guarantees that tuition and mandatory fees would be
4 paid for all PACT beneficiaries at the time of the students'
5 matriculation to postsecondary education.

6 (3) In order to fulfill the promises made in PACT
7 contracts, it is in the best interests of the citizens of
8 Alabama that the PACT Program be operated as efficiently as
9 possible by an informed PACT Board of Directors making
10 transparent, fiscally sound decisions.

11 (4) The effectiveness of the PACT Program is
12 maximized when the PACT Board of Directors has input from
13 members of the Legislature, members of the state's education
14 community, and members of the general public holding PACT
15 contracts, all of whom have a vested interest in the success
16 of the PACT Program.

17 Section 2. (a) There is created the Alabama PACT
18 Program Advisory Task Force, which shall be composed of the
19 following members:

20 (1) Four members of the House of Representatives
21 appointed by the Speaker of the House of Representatives.

22 (2) Two members of the Senate appointed by the
23 Lieutenant Governor.

24 (3) Two members of the Senate appointed by the
25 Senate President Pro Tempore.

26 (4) The Chancellor of the Alabama Community College
27 System or his or her designee.

1 (5) The President of the Council of College and
2 University Presidents or his or her designee.

3 (6) The Executive Director of the Alabama Commission
4 on Higher Education.

5 (7) Seven members at-large appointed by the Speaker
6 of the House of Representatives, with one at-large member
7 selected from each congressional district, and seven members
8 at-large appointed by the Lieutenant Governor, with one
9 at-large member selected from each congressional district.
10 Additionally, each at-large member must hold a valid PACT
11 contract at the time of his or her appointment.

12 (b) In making such appointments, the appointing
13 authorities shall ensure that the composition of the Task
14 Force is inclusive and reflects the racial, gender, age,
15 urban/rural, economic, geographical, and political diversity
16 of the state. Appointing authorities shall make their initial
17 appointments within sixty days of the effective date of this
18 act and shall make any subsequently necessary appointments as
19 soon as a vacancy occurs.

20 (c) A majority of the members shall constitute a
21 quorum. The Speaker of the House of Representatives shall
22 appoint a chair from the members named to the Task Force. The
23 first meeting of the Task Force will be held at the call of
24 the chair and shall occur not later than thirty days after all
25 Task Force positions have been filled. At the first meeting,
26 members of the Task Force shall, by majority vote, elect a

1 vice-chair. The Task Force shall subsequently meet quarterly
2 and may meet more often upon the call of the chair.

3 (d) Each member of the Task Force shall serve for a
4 period of four years. Members may succeed themselves if
5 reappointed to the Task Force by their respective appointing
6 authorities. The chair and vice-chair shall each serve
7 one-year terms, with the first term commencing at the initial
8 meeting of the Task Force. If re-elected by a majority of the
9 Task Force, the chair and vice-chair may succeed themselves in
10 their respective positions.

11 (e) Members of the Task Force shall serve without
12 compensation but may be reimbursed for expenses incurred for
13 attending meetings of the Task Force according to the policies
14 and procedures of their respective appointing authorities.
15 Each legislative member of the Task Force shall be entitled to
16 his or her regular legislative compensation, his or her per
17 diem, and travel expenses for each day he or she attends a
18 meeting of the Task Force. All expenses, regardless of whether
19 the Task Force member is a member of the Legislature, shall be
20 paid out of any funds appropriated to the use of the
21 Legislature, upon warrants drawn on the state Comptroller upon
22 requisitions signed by the chair of the Task Force.
23 Notwithstanding the foregoing, no legislative member shall
24 receive additional legislative compensation or per diem when
25 the Legislature is in session or if a member is being paid any
26 other payments on the same dates for attendance of other state
27 business.

1 Section 3. The Alabama PACT Program Advisory Task
2 Force shall have the following powers and responsibilities:

3 (1) The Task Force shall review all aspects of the
4 PACT Program, including the investment decisions of the PACT
5 Board and the funding needs of the PACT Program, and make
6 appropriate recommendations as necessary to the PACT Board and
7 the Legislature.

8 (2) The Task Force shall devise strategies to help
9 control the increasing cost of tuition at the state's public
10 two-year and four-year institutions of higher education.

11 (3) The Task Force shall meet with and work with
12 members of the PACT Board on issues important to the financial
13 stability of the PACT Program.

14 (4) The Task force shall be required to periodically
15 convene informational meetings around the state to advise the
16 public of the status of the PACT Program and to inform the
17 public of recommendations made by the Task Force to the PACT
18 Board and the Legislature.

19 Section 4. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.