

1 HB193
2 207044-2
3 By Representative Poole
4 RFD: Ways and Means Education
5 First Read: 06-FEB-20

ENGROSSED

A BILL

TO BE ENTITLED

AN ACT

To make an appropriation of \$11,676,562 from the Education Trust Fund to Tuskegee University in Tuskegee, Alabama for the support and maintenance of the educational program of the institution, for the fiscal year ending September 30, 2021; to provide that the appropriation is subject to certain provisions of the Code of Alabama 1975; to require an operations plan and an audited financial statement prior to the release of any funds; and to require an end of year report.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Tuskegee University has a unique relationship to the State of Alabama. Due to the unique nature of the circumstances related to the establishment and development of Tuskegee Institute which differs from that of private schools and colleges receiving funds from the state and from the state's public colleges and universities, the institution should be afforded a unique treatment relative to funding from the Education Trust Fund. Tuskegee Institute was established by an act of the Legislature in 1881 and separately incorporated by an act of the Legislature in 1892;

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

10 Section 2. There is hereby appropriated the sum of
11 \$11,676,562 from the Education Trust Fund to Tuskegee
12 University in Tuskegee, Alabama for the support and
13 maintenance of the educational program of the institution, for
14 the fiscal year ending September 30, 2021. Of the above
15 appropriation, at least \$2,000,000 shall be expended for the
16 agricultural research and extension service state match.

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

25 Section 4. (a) Prior to the release of any funds
26 appropriated under this act the following reports shall be
27 submitted:

(1) An operations plan for the fiscal year 2021, including goals and measurable performance indicators, shall be submitted to and approved by the Director of Finance, as provided for state agencies in Section 41-19-10 of the Code of Alabama 1975.

(2) An audited financial statement for all operations during the fiscal year 2019.

(b) It is the intent that funds appropriated for fiscal year 2021 shall be released by the Director of Finance following receipt of the above reports.

(c) In addition, quarterly reports shall be made to the Director of Finance relating actual expenditures and accomplishments to planned expenditures and accomplishments. An end of year performance report for the fiscal year 2021 shall be made to the Director of Finance stating the work accomplished and the services provided and the costs of accomplishing the work and providing the services, citing meaningful measures of program effectiveness and costs, as is required for state agencies in Section 41-19-11 of the Code of Alabama 1975.

(d) The Director of Finance shall forward a copy of all required reports to the Legislative Council in a timely manner.

Section 5. This act shall become effective October 1, 2020.

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House of Representatives

4 Read for the first time and re-
5 ferred to the House of Representa-
6 tives committee on Ways and Means
7 Education..... 06-FEB-20

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9 Read for the second time and placed
10 on the calendar with 1 substitute
11 and..... 05-MAY-20

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13 Read for the third time and passed
14 as amended..... 07-MAY-20

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Jeff Woodard

Clerk