

HB170 INTRODUCED



1 QCNY15-1
2 By Representatives Warren, Garrett
3 RFD: Ways and Means General Fund
4 First Read: 21-Mar-23
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SYNOPSIS:

This bill makes an appropriation of \$13,151,435 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, 2024; provides that the appropriation is subject to certain provisions of the Code of Alabama 1975; requires an operations plan and an audited financial statement prior to the release of any funds; and requires an end of year report.

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation of \$13,151,435 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, 2024; 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.

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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. Tuskegee University has a unique
31 relationship to the State of Alabama. Due to the unique nature
32 of the circumstances related to the establishment and
33 development of Tuskegee Institute which differs from that of
34 private schools and colleges receiving funds from the state
35 and from the state's public colleges and universities, the
36 institution should be afforded a unique treatment relative to
37 funding from the Education Trust Fund. Tuskegee Institute was
38 established by an act of the Legislature in 1881 and
39 separately incorporated by an act of the Legislature in 1892;
40 the Governor appoints five commissioners who serve as voting
41 members on the Tuskegee Board; and the State Superintendent of
42 Education serves as an ex officio voting commissioner on the
43 Tuskegee Board. Tuskegee has received appropriations from the
44 Legislature since 1881. Being a private institution as well as
45 a state related and supported institution, it is deemed that
46 Tuskegee University should be funded accordingly and not as
47 the private schools and colleges nor as the state public
48 colleges and universities are funded.

49 Section 2. There is hereby appropriated the sum of
50 \$13,151,435 from the Education Trust Fund to Tuskegee
51 University in Tuskegee, Alabama for the support and
52 maintenance of the educational program of the institution, for
53 the fiscal year ending September 30, 2024. Of the above
54 appropriation, at least \$2,000,000 shall be expended for the
55 agricultural research and extension service state match.

56 Section 3. The above appropriation is made for the

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57 support of public education in Alabama and for the support and
58 maintenance of the above program. The appropriation shall be
59 subject to the provisions, terms, conditions, and limitations
60 of the Budget and Financial Control Act, Section 41-4-80 et
61 seq., Code of Alabama 1975, the provisions of the Budget
62 Management Act of 1976, Section 41-19-1 et seq., Code of
63 Alabama 1975, and any other provisions of this act.

64 Section 4. (a) Prior to the release of any funds
65 appropriated under this act the following reports shall be
66 submitted:

67 (1) An operations plan for the fiscal year 2024,
68 including goals and measurable performance indicators, shall
69 be submitted to and approved by the Director of Finance, as
70 provided for state agencies in Section 41-19-10 of the Code of
71 Alabama 1975.

72 (2) An audited financial statement for all operations
73 during the fiscal year 2022.

74 (b) It is the intent that funds appropriated for fiscal
75 year 2024 shall be released by the Director of Finance
76 following receipt of the above reports.

77 (c) In addition, quarterly reports shall be made to the
78 Director of Finance relating actual expenditures and
79 accomplishments to planned expenditures and accomplishments.
80 An end of year performance report for the fiscal year 2024
81 shall be made to the Director of Finance stating the work
82 accomplished and the services provided and the costs of
83 accomplishing the work and providing the services, citing
84 meaningful measures of program effectiveness and costs, as is

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85 required for state agencies in Section 41-19-11 of the Code of
86 Alabama 1975.

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

90 Section 5. This act shall become effective October 1,
91 2023.