

1 HB211
2 93898-2
3 By Representative Knight
4 RFD: Government Appropriations
5 First Read: 06-MAR-07



1
2 ENROLLED, An Act,

3 To make an appropriation of \$48,862,772 from the
4 Children First Trust Fund for the fiscal year ending September
5 30, 2008, to the entities and for the purposes designated in
6 Section 41-15B-2.2, Code of Alabama 1975; to provide for the
7 deposit of tobacco settlement revenues into the Children First
8 Trust Fund; to require written notification of anticipated
9 agency allocations by the State Director of Finance; to
10 require quarterly allocations; to condition allocations on
11 receipt of tobacco revenues; to make an appropriation of
12 \$50,364,041 from other tobacco settlement funds for the fiscal
13 year ending September 30, 2008; and to make a conditional
14 appropriation and allocation of additional tobacco revenues
15 upon the recommendation of the Director of Finance, the
16 Chairman of the House Government Appropriations Committee and
17 the Chairman of the Senate Finance and Taxation-General Fund
18 Committee, and the approval of the Governor.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) There is hereby appropriated from the
21 Children First Trust Fund the sum of \$48,862,772 for the fis-
22 cal year ending September 30, 2008, to the entities and for
23 the purposes designated in Section 41-15B-2.2, Code of Alabama
24 1975 as follows, per the approved plan of investment for each
25 agency:

1	Alcoholic Beverage Control Board	701,817
2	Children's Trust Fund	2,653,452
3	Department of Forensic Sciences	593,514
4	Alabama Department of Human Resources	11,085,119
5	Of the above appropriation to the Depart-	
6	ment of Human Resources, \$870,600 shall be	
7	allocated to the Alabama Network of Chil-	
8	dren's Advocacy Centers. These funds allo-	
9	cated may be used for operations and main-	
10	tenance. In addition, \$100,000 of the	
11	above appropriation to the Department	
12	shall be expended for the Opportunities	
13	Industrialization Center.	
14	Juvenile Probation Services Fund	\$5,892,494
15	Alabama Medicaid Agency	4,197,175
16	Alabama Department of Mental Health	2,694,824
17	State Multiple Needs Children's Fund	3,802,879
18	Department of Public Health	5,542,560
19	Department of Rehabilitation Services	266,443
20	Department of Youth Services	11,432,495

1 Of the above appropriation to the Depart-
2 ment of Youth Services, \$2,000,000 shall
3 be expended for alternative programs for
4 at-risk youth.

5 (b) (1) All tobacco revenues from the tobacco
6 settlement received by the state previously designated for the
7 Children First Trust Fund shall be deposited to the Children
8 First Trust Fund within 30 calendar days of receipt of those
9 tobacco revenues.

10 (2) The Director of Finance shall notify each agency
11 and the Department of Children's Affairs in writing prior to
12 September 1, 2007, of the dollar amount of the allocation
13 expected to be received by the agency from the Children First
14 Trust Fund in the fiscal year ending September 30, 2008.

15 (3) At the beginning of each quarter of the fiscal
16 year ending September 30, 2008, the respective agency shall be
17 allocated at least one-fourth of the total amount appropriated
18 and allocated to the agency for that fiscal year when tobacco
19 revenues are available for the respective agency. In the event
20 tobacco revenues are not available for the respective agency
21 until later in the fiscal year then the respective agency
22 shall be allocated an equal quarterly allotment for the
23 quarters that funds are available at the beginning of those

1 quarters. Such allocation shall be made and be available for
2 expenditure by the agency within five working days of the
3 commencement of the quarter. If additional sums are
4 appropriated or allocated, or both, during the fiscal year,
5 these sums shall be equally allocated to the respective agency
6 among the remaining quarters of the fiscal year or may be
7 allocated to the respective agency in one sum if revenues are
8 available. The Department of Children's Affairs shall be
9 notified in writing of all appropriations and allocations from
10 the Children First Trust Fund by the Director of Finance.

11 (4) Allocations from the Children First Trust Fund
12 are conditioned upon the receipt of tobacco revenues.

13 (c) Allocations received pursuant to Section 1 shall
14 be expended in accordance with Section 41-15B-2.2, Code of
15 Alabama 1975.

16 (d) At the conclusion of the fiscal year, any
17 remaining sums in the Children First Trust Fund shall remain
18 in the fund and shall not revert to the General Fund or to any
19 other fund, except as provided by HB 218 or SB 186 of the 2007
20 Regular Session, if enacted into law.

21 Section 2. In addition to the appropriation herein
22 above made, there is hereby appropriated from additional to-
23 bacco settlement funds the sum of \$50,364,041 for the fiscal
24 year ending September 30, 2008 to the following entities:

1	Department of Children's Af-	
2	fairs	149,712
3	21st Century Debt Service	13,000,000
4	Senior Services Trust Fund	1,583,588
5	Alabama Medicaid Agency	\$33,255,358

6 Of the above appropriation,
7 \$5,300,000 shall be used
8 solely for the expansion of
9 services to Medicaid clients
10 to include the following:
11 \$100,000 for 30 additional
12 slots at the Department of Se-
13 nior Services in the Elderly
14 and Disabled Home and Commu-
15 nity-based Services Waiver
16 program funded through
17 Medicaid; \$1,400,000 to allow
18 Medicaid providers to write
19 one additional brand name pre-
20 scription monthly; \$1,900,000
21 to pay for basic level pros-
22 thetic, orthotic, and
23 pedorthic devices for Medicaid

1 beneficiaries between the ages
 2 of 21 and 65 which must be
 3 provided by a licensed pros-
 4 thetic, orthotic and/or
 5 pedorthic practitioner in the
 6 State of Alabama practicing at
 7 an accredited facility; and
 8 \$1,568,000 for 475 additional
 9 slots at the Department of
 10 Public Health in The Elderly
 11 and Disabled Home and Commu-
 12 nity-based Services Waiver
 13 Program funded through
 14 Medicaid.

15 Department of Senior Services
 16 - Medicaid Waiver

2,375,383

17
 18 Section 3. Any additional tobacco revenues available
 19 for the fiscal year ending September 30, 2008, shall be
 20 conditionally appropriated, conditioned upon the
 21 recommendation of the Director of Finance, the Chairman of the
 22 House Government Appropriations Committee and the Chairman of

1 the Senate Finance and Taxation-General Fund Committee, and
2 approval of the Governor.

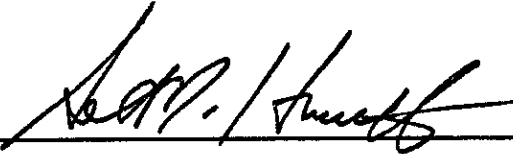
3 Section 4. The Executive Budget Office and the
4 Director of Finance shall allot funds appropriated from the
5 Children First Trust Fund only following the certification by
6 the Commissioner of the Department of Children's Affairs that
7 a plan of investment has been approved for each agency. The
8 Commissioner of the Department of Children's Affairs shall
9 prescribe the form and format on which each agency receiving
10 appropriated funds herein shall submit a plan of investment of
11 said appropriated funds. The plan of investment shall include,
12 but not be limited to, a minimum of four (4) quality assurance
13 items on which a periodic report, as required by the approved
14 plan of investment, is made and as audited by the Examiners of
15 Public Accounts. Quality assurance items shall include the
16 number of children receiving service, an identifiable measure
17 of success of services provided and a prioritized standard of
18 successful measures for future plans of investment. It is the
19 intent of the Legislature that the Commissioner of the
20 Department of Children's Affairs shall be responsible for
21 providing a standard of measurement by which a clear
22 determination can be made through operational reporting and
23 audit reporting of a measurable success of funds appropriated
24 and invested from the Children First Trust Fund; insure funds
25 appropriated herein are invested in viable programs; insure

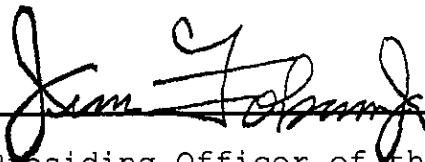
1 and promote the leverage of appropriated funds herein in every
2 possible manner and coordinated in all possible ways the
3 investment of funds by each service provider to insure that no
4 unproductive expenditures or duplication occurs. The
5 Commissioner of the Department of Children's Affairs shall
6 notify legislators representing the area where a grant from
7 the Children First Trust Fund is designated. The notification
8 shall occur ten days before the funds reach the recipient
9 agency.

10 Section 5. The Commissioner of the Department of
11 Children's Affairs shall report each approved plan of
12 investment to the Joint Interim Legislative Oversight
13 Committee and the Alabama Children's Policy Council. The
14 Commissioner, upon the request of the service agency, may
15 approve an adjusted plan of investment. It is the intent of
16 the Legislature that funds appropriated from the Children
17 First Trust Fund be directed to meet the most immediate needs
18 of children as changing conditions may develop.

19 Section 6. Should any provision of this act be held
20 invalid, the invalidity thereof shall not affect the remaining
21 provisions of the act.

22 Section 7. This act shall become effective
23 immediately upon its passage and approval by the Governor, or
24 upon its otherwise becoming a law.


 Speaker of the House of Representatives


 President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
 and was passed by the House 08-MAY-07, as amended.

Greg Pappas
 Clerk

Senate	31-MAY-07	Amended and Passed
House	07-JUN-07	Passed, as amended by Conference Com- mittee Report
Senate	07-JUN-07	Passed, as amended by Conference Com- mittee Report

APPROVED

TIME


 GOVERNOR

Alabama Secretary Of State

Act Num....: 2007-456
 Bill Num....: H-211

Recv'd 06/14/07 04:05pmJJB