HB68
134971-1
By Representative Morrow
RFD: Ways and Means Education
First Read: 07-FEB-12
PFD: 01/23/2012
SYNOPSIS: This bill would make a supplemental appropriation from the Education Trust Fund for the fiscal year ending September 30, 2012, in the amount of $32,906,007 to certain local boards of education for the rebuilding of schools which suffered catastrophic damage as a result of the tornados on April 27, 2011.

A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
Section 1. For the purposes of this act, the following words have the following meanings:

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

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

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


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

Section 2. (a) The purpose of this act is to implement Act 2011-231 of the 2011 Regular Session, unanimously approved by both houses of the Legislature, and signed by Governor Robert Bentley, in which the State of
Alabama committed to rebuilding of school facilities affected by the tornado outbreak on April 27, 2011.

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

Section 3. (a) There is appropriated from the Education Trust Fund for the fiscal year ending September 30, 2012, the amount of thirty-two million nine hundred eight thousand seven dollars ($32,908,007) to the following local boards of education in the following amounts for the rebuilding costs of schools and school facilities which suffered catastrophic damage as a result of the catastrophe on April 27, 2011:
(1) DeKalb County Board of Education

Plainview School $3,837,857

(2) Franklin County Board of Education

Phil Campbell High School $11,673,678

(3) Marion County Board of Education

Hackleburg Elementary and High School $13,836,740

(4) Tuscaloosa City Board of Education

Alberta Elementary School and University Place Elementary School $2,440,607

(5) Tuscaloosa County Board of Education

Holt Elementary School $1,119,125

(b) The appropriation provided by this act shall be used to pay the rebuilding costs to rebuild the schools and school facilities designated in subsection (a) after all payments from FEMA, the Division of Risk Management, and any other third-party payments. Funds may be released in order to make construction payments subject to a final determination of the rebuilding costs of a school and school facilities as determined by the State Superintendent of Education within the amount appropriated for each school system pursuant to subsection (a).
Section 4. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.