

1 HB496  
2 191641-4  
3 By Representatives Warren and Moore (M)  
4 RFD: Education Policy  
5 First Read: 08-MAR-18

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8 SYNOPSIS: Under existing law, the Board of Trustees of  
9 Tuskegee University is referred to both as a board  
10 of trustees and a board of commissioners and the  
11 State Superintendent of Education is an ex officio  
12 member of the board.

13 This bill would clarify that the governing  
14 board of Tuskegee University is a board of  
15 trustees, and would remove the State Superintendent  
16 of Education from membership on the board.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 To amend Sections 16-57-1 and 16-57-5, Code of  
23 Alabama 1975, relating to Tuskegee University, to clarify that  
24 the governing board of the institution is a board of trustees;  
25 and to remove the State Superintendent of Education from  
26 membership on the board of trustees.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. Sections 16-57-1 and 16-57-5 of the Code  
2 of Alabama 1975, are amended to read as follows:

3                   "§16-57-1.

4                   "(a) Appropriations made to Tuskegee ~~Institute~~  
5 University by the Alabama Legislature to be used for ~~the~~  
6 ~~purpose of maintaining a graduate school in agriculture, a~~  
7 ~~graduate school in home economics and a graduate school in~~  
8 ~~veterinary medicine~~ operations and maintenance of the  
9 educational program of the institution and for the  
10 agricultural research and extension service state match, or  
11 such other areas as are deemed feasible and wise in accordance  
12 with felt need, shall be paid to the Treasurer of Tuskegee  
13 ~~Institute~~ University, on warrant of the State Treasurer, and  
14 ~~said the~~ Treasurer of Tuskegee ~~Institute~~ University shall make  
15 a surety bond in the sum of ~~\$25,000.00~~ twenty-five thousand  
16 dollars (\$25,000), payable to the State of Alabama, to insure  
17 the safekeeping of such appropriations. The ~~said~~ bond shall be  
18 approved by the Secretary of State and the same shall be filed  
19 in his or her office. The premium on ~~said the~~ bond shall be  
20 paid by warrant of the State Treasurer out of the General  
21 Fund. The ~~said~~ appropriation shall be under the control of the  
22 Board of Trustees of Tuskegee ~~Institute~~ University, and the  
23 same shall be applied in such manner as it deems best to carry  
24 out the purpose of the appropriation. ~~The commissioners~~  
25 ~~hereinafter provided for shall be residents of the State of~~  
26 ~~Alabama and shall be members of the board of trustees with the~~  
27 ~~same rights and powers as the other trustees, except as to~~

1 ~~filling vacancies on the Board of Trustees of Tuskegee~~  
2 ~~Institute, in which they shall have no voice.~~

3           "(b) There shall be appointed by the Governor five  
4 ~~commissioners~~ trustees who shall be residents of the state and  
5 shall hold office for a term of four years and until their  
6 successors are appointed and qualified; should a vacancy occur  
7 on the board of ~~commissioners~~ trustees as appointed by the  
8 Governor, by death, resignation, refusal to serve, or by  
9 becoming otherwise disqualified, then ~~such~~ the vacancy shall  
10 be filled for the unexpired term by the Governor. ~~The~~  
11 ~~Superintendent of Education of the State of Alabama shall be~~  
12 ~~an ex officio member of said board of commissioners. The~~  
13 ~~commissioners appointed by the Governor, as herein provided,~~  
14 ~~shall make an annual written report to the Superintendent of~~  
15 ~~Education of the State of Alabama of the conditions and~~  
16 ~~progress of graduate instruction hereinabove referred to.~~

17           "§16-57-5.

18           "The Legislature finds that Tuskegee University has  
19 a unique relationship to the State of Alabama. The Legislature  
20 further finds that due to the unique nature of the  
21 circumstances related to the establishment and development of  
22 Tuskegee ~~Institute~~ University which differs from that of  
23 private schools and colleges receiving funds from the state  
24 and from the state's public colleges and universities, the  
25 institution should be afforded a unique treatment relative to  
26 funding from the Education Trust Fund. Tuskegee Institute was  
27 established by an act of the Legislature in 1881 and

1 separately incorporated by an act of the Legislature in 1892;  
2 the Governor appoints five ~~commissioners~~ trustees who serve as  
3 voting members on the Tuskegee Board; ~~and the State~~  
4 ~~Superintendent of Education serves as an ex officio voting~~  
5 ~~commissioner on the Tuskegee Board~~ of Trustees. Tuskegee has  
6 received appropriations from the Legislature since 1881. Being  
7 a private institution as well as a state related and supported  
8 institution, the Legislature deems that Tuskegee University  
9 should be funded accordingly and not as the private schools  
10 and colleges nor as the state public colleges and universities  
11 are funded."

12 Section 2. This act shall become effective  
13 immediately following its passage and approval by the  
14 Governor, or its otherwise becoming law.