

By: Representatives Manning, Chaney

To: Education;  
Appropriations

## HOUSE BILL NO. 1426

1 AN ACT TO BE KNOWN AS THE "MISSISSIPPI COMPREHENSIVE  
2 WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 1999"; TO  
3 CREATE NEW SECTIONS 37-4-11, 37-4-13, 37-4-15 AND 37-4-17,  
4 MISSISSIPPI CODE OF 1972, TO TRANSFER RESPONSIBILITIES AND FUNDS  
5 FOR ALL WORKFORCE TRAINING PROGRAMS THAT PROVIDE POSTSECONDARY  
6 TRAINING SERVICES TO ADULTS CURRENTLY ADMINISTERED BY THE STATE  
7 DEPARTMENT OF EDUCATION, THE DEPARTMENT OF ECONOMIC AND COMMUNITY  
8 DEVELOPMENT, THE DEPARTMENT OF HUMAN SERVICES AND THE MISSISSIPPI  
9 EMPLOYMENT SECURITY COMMISSION TO THE STATE BOARD FOR COMMUNITY  
10 AND JUNIOR COLLEGES; TO AUTHORIZE THE STATE BOARD FOR COMMUNITY  
11 AND JUNIOR COLLEGES TO BE THE SOLE ADMINISTRATOR AT THE STATE  
12 LEVEL FOR ALL ADULT WORKFORCE TRAINING FUNDS CURRENTLY  
13 ADMINISTERED BY THOSE STATE AGENCIES; TO AMEND SECTIONS 37-3-25,  
14 37-31-205 THROUGH 37-31-211, 37-31-106, 57-1-56 AND 57-61-42,  
15 MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO REPEAL SECTIONS  
16 7-1-351, 7-1-355, 7-1-357, 7-1-361, 7-1-363, 7-1-365 AND 7-1-371,  
17 MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE THE DEPARTMENT OF  
18 ECONOMIC AND COMMUNITY DEVELOPMENT TO ADMINISTER, ISSUE  
19 REGULATIONS AND ENTER INTO CONTRACTS REGARDING THE FEDERAL  
20 COMPREHENSIVE EMPLOYMENT AND TRAINING ACT PROGRAMS; AND FOR  
21 RELATED PURPOSES.

22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

23 SECTION 1. The following provision shall be codified as  
24 Section 37-4-11, Mississippi Code of 1972:

25 37-4-11. This act shall be known and may be cited as the  
26 "Mississippi Comprehensive Workforce Training and Education  
27 Consolidation Act of 1999."

28 SECTION 2. The following provision shall be codified as  
29 Section 37-4-13, Mississippi Code of 1972:

30 37-4-13. It is the intent of the Legislature, by passage of  
31 this act, to establish one (1) comprehensive workforce training  
32 system in the State of Mississippi which is focused on achieving  
33 results, using resources efficiently and ensuring that workers and  
34 employers can access easily needed training services.

35 The purpose of this act is to provide workforce training

36 activities, through statewide and local workforce training  
37 systems, and increase the employment, retention and earnings of  
38 participants, and increase occupational skill attainment by  
39 participants which, as a result, improve the quality of the  
40 workforce, reduce welfare dependency and enhance the productivity  
41 and competitiveness of the state.

42 SECTION 3. The following provision shall be codified as  
43 Section 37-4-15, Mississippi Code of 1972:

44 37-4-15. (1) The following training programs and funds  
45 shall be transferred to the State Board for Community and Junior  
46 Colleges on July 1, 1999:

47 (a) Adult Education programs and funds administered by  
48 the State Department of Education;

49 (b) Industrial Services training programs and funds  
50 administered by the State Department of Education.

51 (2) The following training programs and funds shall be  
52 transferred to the State Board for Community and Junior Colleges  
53 on July 1, 2000:

54 (a) Postsecondary vocational-technical programs and  
55 funds administered by the State Department of Education;

56 (b) Postsecondary Carl Perkins programs and funds  
57 administered by the State Department of Education;

58 (c) Postsecondary Tech Prep programs and funds  
59 administered by the State Department of Education;

60 (d) Temporary Assistance to Needy Families (TANF)  
61 workforce training programs and funds administered by the  
62 Department of Human Services and subcontracted to the State  
63 Department of Education;

64 (e) Job Training Partnership Act (JTPA) programs and  
65 funds administered by the Mississippi Department of Economic and  
66 Community Development and subcontracted to the Mississippi  
67 Employment Security Commission and any state level adult education  
68 and training funds made available by any successor program to

69 JTPA, including the Workforce Investment Act of 1998;

70 (f) State Occupational Information and Coordinating  
71 Committee (SOICC) programs and funds administered by the  
72 Mississippi Department of Economic and Community Development;

73 (g) Any other Comprehensive Employment and Training Act  
74 of 1973 federally funded support programs and funds administered  
75 by the Mississippi Department of Economic and Community  
76 Development.

77 (3) (a) All powers, duties and functions of the State  
78 Department of Education and the State Board of Education which are  
79 being exercised or performed by the Division of Vocational  
80 Education on June 30, 1999, utilizing funds from all sources for  
81 Adult Education and Industrial Services training, either directly  
82 or indirectly, are transferred to the State Board for Community  
83 and Junior Colleges on July 1, 1999. All powers, duties and  
84 functions of the State Department of Education and the State Board  
85 of Education which are being exercised or performed by the  
86 Division of Vocational Education on June 30, 1999, utilizing funds  
87 from all sources for all postsecondary vocational-technical  
88 education training funds, all postsecondary Tech Prep funds, Carl  
89 Perkins funds and all Temporary Assistance to Needy Families  
90 (TANF) workforce training funds, are transferred to the State  
91 Board for Community and Junior Colleges on July 1, 2000. All  
92 records, property and contractual rights and obligations of, and  
93 unexpended balances of appropriations and any other allocations  
94 to, the State Department of Education that relate to the powers,  
95 duties and functions exercised or performed for such programs on  
96 June 30, 1999, shall be transferred to the State Board for  
97 Community and Junior Colleges on or before July 1, 1999 or 2000,  
98 as the case may be. The State Fiscal Officer shall transfer to  
99 the State Board for Community and Junior Colleges all funds that  
100 are allocated to the State Department of Education for such  
101 programs, and such funds shall be used by the State Board for

102 Community and Junior Colleges under the same terms and conditions  
103 as specified for those funds in the applicable appropriation bill.  
104 Sufficient staff shall be transferred from the agencies which, by  
105 virtue of this act, will have a reduction in training and  
106 educational responsibilities to the State Board for Community and  
107 Junior Colleges to assure that those transferred responsibilities  
108 shall be properly managed and administered. Determinations as to  
109 which jobs shall be transferred shall be made by agreement between  
110 the Executive Director of the State Board for Community and Junior  
111 Colleges and the chief executive of the affected transferring  
112 agencies utilizing information provided by the Legislative Budget  
113 Office necessary for the determination of personnel needs and  
114 costs of supportive services. If an agreement cannot be reached  
115 between the parties, reassignments shall be created by the  
116 Legislature through the agencies' appropriation bills. Authorized  
117 transition activities may include, but need not be limited to, the  
118 enhancement of the State Board for Community and Junior Colleges  
119 to manage the additional federal and state funds, budgeting,  
120 accounting, grant management, property management, personnel,  
121 legal and/or other administrative services. The State Department  
122 of Education shall retain responsibility to manage the closeout of  
123 all grants relating to Industrial Training Programs and Adult  
124 Education Programs at the end of June 30, 1999, and postsecondary  
125 vocational-technical programs and postsecondary Carl Perkins  
126 programs at the end of June 30, 2000, and may retain sufficient  
127 grant funds to properly close-out those grant activities. Upon  
128 closeout of the grants, any remaining funds will be transferred to  
129 the State Board for Community and Junior Colleges by the State  
130 Fiscal Officer. The State Department of Education shall assist  
131 the State Board for Community and Junior Colleges with the  
132 greatest degree of cooperation to carry out the intent and purpose  
133 of this act and to accomplish an orderly transition.

134 (b) The allocation of postsecondary

135 vocational-technical education funds and funds for new or expanded  
136 programs and equipment will be based on a formula developed by the  
137 State Board for Community and Junior Colleges, which shall be  
138 based on the specific training needs of the population served by  
139 each community and junior college and the commitment and capacity  
140 of the facilities available for the service.

141 (c) The State Board for Community and Junior Colleges  
142 shall enter into a contract with the State Department of Education  
143 which clarifies that the State Department of Education will  
144 continue to be the designated recipient of the Carl Perkins funds  
145 at the state level and that the funds will continue to be  
146 administered and used in accordance with federal guidelines. The  
147 contract shall specify that all Carl Perkins funds used for  
148 postsecondary training and other purposes will be transferred to  
149 the State Board for Community and Junior Colleges and that the  
150 State Board for Community and Junior Colleges shall have the  
151 responsibility and authority to direct and oversee such programs  
152 as may be financed with such funds.

153 (4) All powers, duties and functions of the Mississippi  
154 Department of Economic and Community Development which are being  
155 exercised or performed on June 30, 1999, and any state level adult  
156 education and training funds made available by any successor  
157 program to JTPA, including the Workforce Investment Act of 1998,  
158 utilizing funds from all sources for adult education and training,  
159 either directly or indirectly, are transferred to the State Board  
160 for Community and Junior Colleges on July 1, 2000. The programs  
161 and funds to be transferred shall include all Job Training  
162 Partnership Act (JTPA) funds, State Occupational Information and  
163 Coordinating Committee (SOICC) funds, and any other Comprehensive  
164 Employment and Training Act of 1973 federally funded support  
165 program funds administered by the Mississippi Department of  
166 Economic and Community Development and subcontracted to the  
167 Mississippi Employment Security Commission. All records, property

168 and contractual rights and obligations of, and unexpended balances  
169 of appropriations and any other allocations to, the Mississippi  
170 Department of Economic and Community Development which relate to  
171 the powers, duties and functions exercised or performed for such  
172 programs on June 30, 1999, shall be transferred to the State Board  
173 for Community and Junior Colleges on or before July 1, 2000. The  
174 State Fiscal Officer shall transfer to the State Board for  
175 Community and Junior Colleges all funds that are allocated to the  
176 Mississippi Department of Economic and Community Development for  
177 such programs, and such funds shall be used by the State Board for  
178 Community and Junior Colleges under the same terms and conditions  
179 as specified for those funds in the applicable appropriation bill.  
180 Sufficient staff shall be transferred from the agencies which, by  
181 virtue of this act, will have a reduction in training and  
182 educational responsibilities to the State Board for Community and  
183 Junior Colleges to assure that those transferred responsibilities  
184 shall be properly managed and administered. Determinations as to  
185 which jobs shall be transferred shall be made by agreement between  
186 the Executive Director of the State Board for Community and Junior  
187 Colleges and the chief executive of the affected transferring  
188 agencies utilizing information provided by the Legislative Budget  
189 Office necessary for the determination of personnel needs and  
190 costs of supportive services. If an agreement cannot be reached  
191 between the parties, reassignments shall be created by the  
192 Legislature through the agencies' appropriation bills. Authorized  
193 transition activities may include, but need not be limited to, the  
194 enhancement of the State Board for Community and Junior Colleges  
195 to manage the additional federal and state funds, budgeting,  
196 accounting, grant management, property management, personnel,  
197 legal and/or other administrative services. The Mississippi  
198 Department of Economic and Community Development shall retain  
199 responsibility to manage the closeout of all grants relating to  
200 such programs until the end of June 30, 2001, and may retain

201 sufficient grant funds to properly close out those grant  
202 activities. Upon closeout of the grants, any remaining funds will  
203 be transferred to the State Board for Community and Junior  
204 Colleges by the State Fiscal Officer. The Mississippi Department  
205 of Economic and Community Development shall assist the State Board  
206 for Community and Junior Colleges with the greatest degree of  
207 cooperation to carry out the intent and purpose of this act and to  
208 accomplish an orderly transition.

209 (5) All powers, duties and functions of the Department of  
210 Human Services which are being exercised or performed on June 30,  
211 1999, utilizing funds from all sources for training recipients and  
212 clients of the Temporary Assistance for Needy Families program  
213 (TANF), either directly or indirectly, are transferred to the  
214 State Board for Community and Junior Colleges on July 1, 2000.  
215 All records, property and contractual rights and obligations of,  
216 and unexpended balances of appropriations and any other  
217 allocations to, the Department of Human Services which relate to  
218 the powers, duties and functions exercised or performed for such  
219 programs on June 30, 1999, shall be transferred to the State Board  
220 for Community and Junior Colleges on or before July 1, 2000. The  
221 State Fiscal Officer shall transfer to the State Board for  
222 Community and Junior Colleges all funds that are allocated to the  
223 Department of Human Services for such programs, and such funds  
224 shall be used by the State Board for Community and Junior Colleges  
225 under the same terms and conditions as specified for those funds  
226 in the applicable appropriation bill. Sufficient staff shall be  
227 transferred from the agencies which, by virtue of this act, will  
228 have a reduction in training and educational responsibilities, to  
229 the State Board for Community and Junior Colleges to assure that  
230 those transferred responsibilities shall be properly managed and  
231 administered. Determinations as to which jobs shall be  
232 transferred shall be made by agreement between the Executive  
233 Director of the State Board for Community and Junior Colleges and

234 the chief executive of the affected transferring agencies  
235 utilizing information provided by the Legislative Budget Office  
236 necessary for the determination of personnel needs and costs of  
237 supportive services. If an agreement cannot be reached between  
238 the parties, reassignments shall be created by the Legislature  
239 through the agencies' appropriation bills. Authorized transition  
240 activities may include, but need not be limited to, the  
241 enhancement of the State Board for Community and Junior Colleges  
242 to manage the additional federal and state funds, budgeting,  
243 accounting, grant management, property management, personnel,  
244 legal and/or other administrative services. The Department of  
245 Human Services shall retain responsibility to manage the closeout  
246 of all grants relating to such programs at the end of June 30,  
247 2000, and may retain sufficient grant funds to properly close out  
248 those grant activities. Upon closeout of the grants, any  
249 remaining funds will be transferred to the State Board for  
250 Community and Junior Colleges by the State Fiscal Officer.  
251 Identification, eligibility, certification, enrollment, follow-up,  
252 performance standards and sanction liabilities of the TANF clients  
253 will remain the sole responsibility of the Department of Human  
254 Services. The Department of Human Services shall assist the State  
255 Board for Community and Junior Colleges with the greatest degree  
256 of cooperation to carry out the intent and purpose of this act and  
257 to accomplish an orderly transition.

258 (6) The State Board for Community and Junior Colleges shall  
259 set aside from its annual appropriation from the Legislature  
260 "incentive funds" to be used exclusively by the Executive Director  
261 of the Department of Economic and Community Development, at his  
262 discretion, for the purpose of bringing additional economic  
263 development activity to the state, which includes, but is not  
264 limited to, strengthening the environment within Mississippi's  
265 communities for entrepreneurial growth, retaining and creating  
266 jobs, and fostering an expanding and globally competitive economy.

267 The Department of Economic and Community Development, in  
268 conjunction with the State Board for Community and Junior  
269 Colleges, shall develop a memorandum that authorizes the Executive  
270 Director of the Department of Economic and Community Development  
271 to commit the incentive funds and provide for use of funds,  
272 including, but not limited to, how funds will be expended, for  
273 what purpose, and time frame for use, subject to approval by the  
274 Legislature. If incentive funds set aside for exclusive use by  
275 the Executive Director of the Department of Economic and Community  
276 Development are not expended for stated purposes by March 30 of  
277 each funding period, the monies will revert back to the annual  
278 appropriation funds of the State Board for Community and Junior  
279 Colleges to be allocated for projects by the end of June 30 with  
280 "carryover" authority to the next funding year granted to the  
281 State Board for Community and Junior Colleges for funds not  
282 expended. The State Board for Community and Junior Colleges will  
283 set accountability guidelines for use of such incentive funds.

284 SECTION 4. The following provision shall be codified as  
285 Section 37-4-17, Mississippi Code of 1972:

286 37-4-17. (1) The Legislature shall appropriate to the State  
287 Board for Community and Junior Colleges those state funds to be  
288 expended for postsecondary vocational-technical education. The  
289 State Board for Community and Junior Colleges shall set standards  
290 for, approve and expend funds for all postsecondary vocational and  
291 technical education programs. The Executive Director of the State  
292 Board for Community and Junior Colleges shall be responsible to  
293 the state board for the proper administration of the programs of  
294 postsecondary vocation and technical education in conformity with  
295 the policies adopted by the State Board for Community and Junior  
296 Colleges and shall be responsible for appointing any necessary  
297 employees to assist in carrying out the programs.

298 (2) The State Board for Community and Junior Colleges is  
299 the Division of Job Development and Training and shall retain all

300 powers and duties granted by law to the Division of Job  
301 Development and Training. Wherever the term "Division of Job  
302 Development and Training" appears in any law, it means the State  
303 Board for Community and Junior Colleges. The Executive Director  
304 of the State Board for Community and Junior Colleges may assign to  
305 appropriate divisions powers and duties as deemed appropriate to  
306 carry out the lawful functions of the department.

307 (3) The State Board for Community and Junior Colleges is  
308 designated as the sole administrator of all programs for which the  
309 state is the prime sponsor under the Comprehensive Employment and  
310 Training Act of 1973, as amended (29 USCS 801 et seq.), and the  
311 regulations promulgated thereunder, and may take all necessary  
312 action to secure to this state the benefits of such legislation.  
313 The State Board for Community and Junior Colleges may receive and  
314 disburse funds for such programs which become available to it from  
315 any source.

316 (4) The State Board for Community and Junior Colleges may  
317 cooperate with or enter into agreements with any agency, official,  
318 educational institution or political subdivision of this state,  
319 any agency or official of the government of the United States of  
320 America, or any private person, firm, partnership or corporation  
321 in order to carry out the provisions of this section.

322 (5) The State Board for Community and Junior Colleges may  
323 promulgate such rules and regulations as may be necessary to carry  
324 out the provisions of this section.

325 (6) To the maximum extent practicable, all programs  
326 embracing an institutional training component shall be coordinated  
327 with and complementary to the state public educational systems and  
328 shall not be duplicative or competitive in nature to such systems.

329 (7) The State Board for Community and Junior Colleges, the  
330 State Department of Education, the board of trustees of any junior  
331 college district, the board of trustees of any school district,  
332 the Mississippi Employment Security Commission, and the Division

333 of Job Development and Training, Office of the Governor, shall  
334 cooperate in carrying out the provisions of this act.

335 SECTION 5. Section 37-3-25, Mississippi Code of 1972, is  
336 amended as follows:

337 37-3-25. (1) The Director of the Division of Vocational and  
338 Technical Education of the State Department of Education, who  
339 shall be an associate state superintendent of education, shall be  
340 appointed by the State Superintendent of Public Education. The  
341 director's salary shall be set by the State Board of Education  
342 subject to the approval of the State Personnel Board. His salary,  
343 compensation, travel expenses or other expenses shall be provided  
344 for out of any funds made available for such purpose by the  
345 Legislature, the federal government, or other gifts or grants.  
346 The director shall be responsible to the State Superintendent of  
347 Public Education for the proper administration of the programs of  
348 primary and secondary vocational and technical education in  
349 conformity with the policies adopted by the State Board of  
350 Education and shall be responsible for appointing any necessary  
351 supervisors, assistants, and employees to assist in carrying out  
352 the programs of primary and secondary vocational and technical  
353 education. The director shall have the authority to employ,  
354 compensate, terminate, promote, demote, transfer or reprimand  
355 employees of the division. The salary and compensation of such  
356 employees shall be subject to the rules and regulations adopted  
357 and promulgated by the State Personnel Board as created under  
358 Section 25-9-101 et seq.

359 (2) The Director of the Division of Vocational and Technical  
360 Education, subject to the approval of the State Board of  
361 Education, shall have charge of and be responsible for primary and  
362 secondary vocational and technical education training in:

- 363 (a) Agriculture;
- 364 (b) Occupational and consumer home economics;
- 365 (c) Consumer and homemaking education;

- 366 (d) Trades and industry;  
367 (e) Distributive education;  
368 (f) Adult education;  
369 (g) Teacher training and supervision;  
370 (h) Business and office;  
371 (i) Health;  
372 (j) Industrial arts;  
373 (k) Guidance services;  
374 (l) Technical education;  
375 (m) Cooperative education; and

376 \* \* \*

377 (n) All other specialized primary and secondary  
378 training \* \* \*.

379 SECTION 6. Section 37-31-205, Mississippi Code of 1972, is  
380 amended as follows:

381 37-31-205. (1) The State Board of Education shall have the  
382 authority to:

383 (a) Expend funds received either by appropriation or  
384 directly from federal or private sources;

385 (b) Channel funds to secondary schools \* \* \* and  
386 regional vocational-technical facilities according to priorities  
387 set by the board;

388 (c) Allocate funds on an annual budgetary basis;

389 (d) Set standards for and approve all primary and  
390 secondary vocational and technical education programs in the  
391 public school system \* \* \* or other agencies or institutions which  
392 receive state funds and federal funds for such purposes,  
393 including, but not limited to, the following primary and secondary  
394 vocational and technical education programs: agriculture, trade  
395 and industry, occupational home economics, consumer and homemaking  
396 education, distributive education, business and office, health,  
397 industrial arts, guidance services, technical education,  
398 cooperative education, \* \* \* all other specialized primary and

399 secondary training \* \* \*. The State Board of Education shall  
400 authorize local school boards, within such school board's  
401 discretion, to offer distributive education as a one-hour or  
402 two-hour block course. There shall be no reduction of  
403 reimbursements from state funding for distributive education due  
404 to the selection of either the one-hour or two-hour course  
405 offering;

406 (e) Set and publish certification standards for primary  
407 and secondary vocational and technical education personnel;

408 (f) Require data and information on program performance  
409 from those programs receiving state funds;

410 (g) Expend funds to expand career information;

411 (h) Supervise and maintain the division of vocational  
412 and technical education and to utilize, to the greatest extent  
413 possible, that division as the administrative unit of the board  
414 responsible for coordinating programs and services with local  
415 institutions;

416 (i) Promulgate such rules and regulations necessary to  
417 carry out the provisions of this chapter in accordance with  
418 Section 25-43-1 et seq.;

419 (j) Set standards and approve all primary and secondary  
420 vocational and technical education equipment and facilities  
421 purchased and/or leased with state and federal vocational funds;

422 (k) Encourage provisions for lifelong learning and  
423 changing personal career preferences and advancement of vocational  
424 and technical education students through articulated programs  
425 between high schools and community/junior colleges;

426 (l) Encourage the establishment of new linkages with  
427 business and industry which will provide for a better  
428 understanding of essential labor market concepts;

429 (m) Periodically review the funding and reporting  
430 processes required of local school districts by the board or  
431 division with the aim of simplifying or eliminating inefficient

432 practices and procedures; and

433 (n) Assist in the development of high technology  
434 programs and resource centers to support current and projected  
435 industrial needs.

436 \* \* \*

437 (2) The State Board for Community and Junior Colleges shall  
438 set standards for, approve and expend funds for all postsecondary  
439 vocational and technical education programs.

440 (3) The State Board of Education and the State Board for  
441 Community and Junior Colleges may provide that beginning with the  
442 1999-2000 school year, every vocational and technical education  
443 course or program in Mississippi may integrate academic and  
444 vocational-technical education through coherent sequences of  
445 courses, so that students in such programs achieve both academic  
446 and occupational competencies. The boards may expend federal  
447 funds available from the 1990 Perkins Act, or other available  
448 federal funds, for the alignment of vocational-technical programs  
449 with academic programs through the accreditation process and the  
450 teacher certification process. The State Board of Education and  
451 the State Board for Community and Junior Colleges shall make a  
452 joint report to the 2000 Regular Session of the Legislature to the  
453 Senate and House Committees on Education regarding the various  
454 methods or models of integrating academic and vocational-technical  
455 courses and setting forth a specific state plan for the  
456 integration or realignment of these programs in the secondary and  
457 postsecondary schools for implementation in the 2000-2001 school  
458 year.

459 SECTION 7. Section 37-31-207, Mississippi Code of 1972, is  
460 amended as follows:

461 37-31-207. The State Board of Education shall have the  
462 following duties:

463 (a) To seek the best available projections of  
464 employment and occupations for Mississippians;

465           (b) To utilize these projections and other  
466 considerations to set primary and secondary vocational and  
467 technical education priorities;

468           (c) To utilize the services of all state agencies  
469 having information regarding the purposes of this chapter;

470           (d) To cooperate with the State Board for Community and  
471 Junior Colleges to prevent duplication and provide continuity of  
472 employment and training services;

473           (e) To conduct evaluations of the success or failure of  
474 primary and secondary vocational-technical programs, including the  
475 extent to which training actually leads to jobs in the field in  
476 which the student was trained;

477           (f) Obtain and publish data and information on program  
478 performance from those primary and secondary vocational-technical  
479 programs receiving state funds; and

480           (g) To notify local school districts \* \* \* prior to  
481 March 1 annually of any discontinuation of ongoing vocational  
482 programs which would affect the renewing of contracts with  
483 vocational personnel.

484           SECTION 8. Section 37-31-209, Mississippi Code of 1972, is  
485 amended as follows:

486           37-31-209. (1) Any advisory council, other than the special  
487 management advisory board, serving the board shall include five  
488 (5) members who are presidents of public community/junior colleges  
489 located in the State of Mississippi, and three (3) members who are  
490 superintendents of education of a countywide, municipal separate  
491 or consolidated school district.

492           (2) In addition to any other requirements of law, it is made  
493 the duty of the advisory council and it is hereby granted the  
494 authority to:

495           (a) Advise the State Board of Education in the  
496 development of comprehensive policies and programs for the  
497 improvement of primary and secondary vocational-technical

498 education in the state;

499           (b) Assist in the formulation of rules, regulations and  
500 standards relating to primary and secondary vocational-technical  
501 education programs by submitting written recommendations prior to  
502 their adoption and promulgation by the board; and

503           (c) Assist in the promotion of public understanding of  
504 the purposes, policies and practices regarding primary and  
505 secondary vocational-technical education in this state.

506           (3) The additional members of the advisory council may meet  
507 with the board in a nonvoting capacity at regular meetings of the  
508 board when the board is not in executive session.

509           (4) The additional members required by this section shall be  
510 reimbursed for their expenses in the same manner and from the same  
511 source as other members.

512           SECTION 9. Section 37-31-211, Mississippi Code of 1972, is  
513 amended as follows:

514           37-31-211. (1) The Legislature shall appropriate to the  
515 State Board of Education those state funds to be expended by the  
516 board through the Division of Vocational and Technical Education  
517 of the State Department of Education for primary and secondary  
518 vocational-technical education.

519           (2) The Legislature shall appropriate to the State Board for  
520 Community and Junior Colleges those state funds to be expended for  
521 postsecondary vocational-technical education.

522           SECTION 10. Section 37-31-106, Mississippi Code of 1972, is  
523 amended as follows:

524           37-31-106. There is hereby created a special fund in the  
525 State Treasury to be designated as the "Manpower Development and  
526 Training Carryover Fund." The fund shall be credited with any  
527 funds which were previously appropriated by the Legislature to the  
528 Industrial Training Program of the State Department of Education  
529 General Education Programs Budget for any year for which the funds  
530 were allocated for industry specific training but unexpended for

531 such training. The funds shall be deposited and administered by  
532 the State Board for Community and Junior Colleges into the  
533 Manpower Development and Training Carryover Fund to the credit of  
534 the industry specific training projects which were originally  
535 allocated such funds. On June 30, 1999, or upon closeout, any  
536 funds in the Manpower Development and Training Carryover Fund  
537 shall be transferred to the Workforce Carryover Fund established  
538 in Chapter 498, Laws of 1995.

539 SECTION 11. Section 57-1-56, Mississippi Code of 1972, is  
540 amended as follows:

541 57-1-56. The Occupational Information Coordinating Committee  
542 shall be located within the State Board for Community and Junior  
543 Colleges and shall develop and implement an occupational  
544 information system for vocational education, employment and  
545 training programs.

546 SECTION 12. Section 57-61-42, Mississippi Code of 1972, is  
547 amended as follows:

548 57-61-42. (1) Notwithstanding any provision of this chapter  
549 to the contrary, the State Board for Community and Junior Colleges  
550 shall utilize not more than Three Million Five Hundred Thousand  
551 Dollars (\$3,500,000.00) out of the proceeds of bonds issued in  
552 this chapter to provide funds for a job recruitment, training,  
553 development, counseling, motivation and referral services program  
554 for less developed counties of this state. The services provided  
555 under this program shall include, but not be limited to, the  
556 following:

- 557 (a) Recruitment for available positions;  
558 (b) Job orientation;  
559 (c) Job related counseling;  
560 (d) Motivational services;  
561 (e) Tutoring of job applicants when appropriate;  
562 (f) Training;  
563 (g) Job placement;

564 (h) Follow-up services to ensure successful employment;

565 (i) Referrals to social services where appropriate.

566 (2) The State Board for Community and Junior Colleges may  
567 contract with a public or private entity to administer the program  
568 authorized in subsection (1) of this section.

569 (3) The primary focus of such program shall be to meet the  
570 State of Mississippi's work requirements under the Temporary  
571 Assistance to Needy Families ("TANF") Program, but the program may  
572 also be used for other purposes that meet the criteria of this  
573 section.

574 (4) As used in this section the term "less developed  
575 counties" means the twenty-eight (28) counties in this state  
576 ranked and designated annually by the State Tax Commission as  
577 having the highest unemployment rate for the most recent  
578 thirty-six-month period. The State Tax Commission shall make such  
579 ranking and designation annually by December 31, using the most  
580 current data available from the University Research Center,  
581 Mississippi State Employment Security Commission and the United  
582 States Department of Commerce.

583 SECTION 13. Sections 7-1-351, 7-1-355, 7-1-357, 7-1-361,  
584 7-1-363, 7-1-365 and 7-1-371, Mississippi Code of 1972, which  
585 authorize the Department of Economic and Community Development to  
586 administer, issue regulations and enter into contracts regarding  
587 the federal Comprehensive Employment and Training Act programs,  
588 are repealed.

589 SECTION 14. This act shall take effect and be in force from  
590 and after July 1, 1999; provided, however, that Sections 4 through  
591 13 of this act shall take effect and be in force from and after  
592 July 1, 2000.