

By: Senator(s) Burton, Hall, Horhn, Dearing, Woodfield, Hamilton, Ferris, Moffatt, Stogner, Ross, Johnson (19th), Carlton, Harvey, Gordon, White (29th), Mettetal, Carter

To: Economic Dev, Tourism and Parks; Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2796

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

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

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

24 37-4-11. This act shall be known and may be cited as the
25 "Mississippi Comprehensive Workforce Training and Education
26 Consolidation Act of 1999."

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

29 37-4-13. It is the intent of the Legislature by passage of
30 this act to establish one (1) comprehensive workforce training
31 system in the State of Mississippi that is focused on achieving
32 results, using resources efficiently and ensuring that workers and
33 employers can easily access needed training services.

34 The purpose of this act is to provide workforce training
35 activities, through statewide and local workforce training

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

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

43 37-4-15. (1) The following training programs and funds
44 shall be transferred to the State Board for Community and Junior
45 Colleges on July 1, 1999:

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

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

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

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

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

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

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

64 (e) Job Training Partnership Act (JTPA) programs and
65 funds presently administered by the Mississippi Department of
66 Economic and Community Development;

67 (f) State Occupational Information and Coordinating
68 committee (SOICC) programs and funds presently administered by the
69 Mississippi Department of Economic and Community Development;

70 (g) Any other Comprehensive Employment and Training Act
71 of 1973 federally funded support programs and funds presently
72 administered by the Mississippi Department of Economic and

73 Community Development.

74 (3) (a) All powers, duties and functions of the State
75 Department of Education and the State Board of Education that are
76 being exercised or performed by the Division of Vocational
77 Education on June 30, 1999, utilizing funds from all sources for
78 Adult Education and Industrial Services training, either directly
79 or indirectly, and all Temporary Assistance to Needy Families
80 (TANF) workforce training funds, are hereby transferred to the
81 State Board for Community and Junior Colleges on July 1, 1999.
82 All powers, duties and functions of the State Department of
83 Education and the State Board of Education that are being
84 exercised or performed by the Division of Vocational Education on
85 June 30, 1999, utilizing funds from all sources for all
86 postsecondary vocational-technical education training funds, all
87 postsecondary Tech Prep funds and Carl Perkins funds, are hereby
88 transferred to the State Board for Community and Junior Colleges
89 on July 1, 2000. All records, property and contractual rights and
90 obligations of, and unexpended balances of appropriations and any
91 other allocations to, the State Department of Education that
92 relate to the powers, duties and functions exercised or performed
93 for such programs on June 30, 1999, shall be transferred to the
94 State Board for Community and Junior Colleges on or before July 1
95 of 1999 or 2000, as the case may be. The State Fiscal Officer
96 shall transfer to the State Board for Community and Junior
97 Colleges all funds that are allocated to the State Department of
98 Education for such programs and such funds shall be used by the
99 State Board for Community and Junior Colleges under the same terms
100 and conditions as specified for those funds in the applicable
101 appropriation bill. Sufficient staff shall be transferred from
102 the agencies that will, by virtue of this act have a reduction in
103 training and educational responsibilities, to the State Board for
104 Community and Junior Colleges to assure that those transferred
105 responsibilities shall be properly managed and administered.

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

132 (b) The allocation of postsecondary
133 vocational-technical education funds and funds for new or expanded
134 programs and equipment will be allocated based on a formula
135 developed by the State Board for Community and Junior Colleges,
136 which shall be based on the specific training needs of the
137 population served by such community and junior college and the
138 commitment and capacity of the facilities available for such

139 service.

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

152 (4) All powers, duties and functions of the Mississippi
153 Department of Economic and Community Development that are being
154 exercised or performed on June 30, 1999, utilizing funds from all
155 sources for adult education and training, either directly or
156 indirectly, are hereby transferred to the State Board for
157 Community and Junior Colleges on July 1, 2000. The programs and
158 funds to be transferred shall include all Job Training Partnership
159 Act (JTPA) funds, State Occupational Information and Coordinating
160 Committee (SOICC) funds, and any other Comprehensive Employment
161 and Training Act of 1973 federally funded support program funds
162 presently administered by the Mississippi Department of Economic
163 and Community Development. All records, property and contractual
164 rights and obligations of, and unexpended balances of
165 appropriations and any other allocations to, the Mississippi
166 Department of Economic and Community Development that relate to
167 the powers, duties and functions exercised or performed for such
168 programs on June 30, 1999, shall be transferred to the State Board
169 for Community and Junior Colleges on or before July 1, 2000. The
170 State Fiscal Officer shall transfer to the State Board for
171 Community and Junior Colleges all funds that are allocated to the

172 Mississippi Department of Economic and Community Development for
173 such programs and such funds shall be used by the State Board for
174 Community and Junior Colleges under the same terms and conditions
175 as specified for those funds in the applicable appropriation bill.
176 Sufficient staff shall be transferred from the agencies that will,
177 by virtue of this act have a reduction in training and educational
178 responsibilities, to the State Board for Community and Junior
179 Colleges to assure that those transferred responsibilities shall
180 be properly managed and administered. Determinations as to which
181 jobs shall be transferred shall be made by agreement between the
182 Executive Director of the State Board for Community and Junior
183 Colleges and the chief executive of the affected transferring
184 agencies utilizing information provided by the Legislative Budget
185 Office necessary for the determination of personnel needs and
186 costs of supportive services. In the event that an agreement
187 cannot be reached between the parties, reassignments shall be
188 created by the Legislature through the agencies' appropriation
189 bills. Authorized transition activities may include, but not be
190 limited to, the enhancement of the State Board for Community and
191 Junior Colleges to manage the additional federal and state funds,
192 budgeting, accounting, grant management, property management,
193 personnel, legal and/or other administrative services. The
194 Mississippi Department of Economic and Community Development shall
195 retain responsibility to manage the closeout of all grants
196 relating to such programs until the end of June 30, 2001, and
197 shall be authorized to retain sufficient grant funds to properly
198 close out said grant activities. Upon closeout of such grants,
199 any remaining funds will be transferred to the State Board for
200 Community and Junior Colleges by the State Fiscal Officer. The
201 Mississippi Department of Economic and Community Development shall
202 assist the State Board for Community and Junior Colleges with the
203 greatest degree of cooperation to carry out the intent and purpose
204 of this act and to accomplish an orderly transition.

205 (5) All powers, duties and functions of the Department of
206 Human Services that are being exercised or performed on June 30,
207 1999, utilizing funds from all sources for training recipients and
208 clients of the Temporary Assistance for Needy Families program
209 (TANF), either directly or indirectly, are hereby transferred to
210 the State Board for Community and Junior Colleges on July 1, 2000.

211 All records, property and contractual rights and obligations of,
212 and unexpended balances of appropriations and any other
213 allocations to, the Department of Human Services that relate to
214 the powers, duties and functions exercised or performed for such
215 programs on June 30, 1999, shall be transferred to the State Board
216 for Community and Junior Colleges on or before July 1, 2000. The
217 State Fiscal Officer shall transfer to the State Board for
218 Community and Junior Colleges all funds that are allocated to the
219 Department of Human Services for such programs and such funds
220 shall be used by the State Board for Community and Junior Colleges
221 under the same terms and conditions as specified for those funds
222 in the applicable appropriation bill. Sufficient staff shall be
223 transferred from the agencies that will, by virtue of this act
224 have a reduction in training and educational responsibilities, to
225 the State Board for Community and Junior Colleges to assure that
226 those transferred responsibilities shall be properly managed and
227 administered. Determinations as to which jobs shall be
228 transferred shall be made by agreement between the Executive
229 Director of the State Board for Community and Junior Colleges and
230 the chief executive of the affected transferring agencies
231 utilizing information provided by the Legislative Budget Office
232 necessary for the determination of personnel needs and costs of
233 supportive services. In the event that an agreement cannot be
234 reached between the parties, reassignments shall be created by the
235 Legislature through the agencies' appropriation bills.

236 Authorized transition activities may include, but not be limited
237 to, the enhancement of the State Board for Community and Junior

238 Colleges to manage the additional federal and state funds,
239 budgeting, accounting, grant management, property management,
240 personnel, legal and or other administrative services. The
241 Department of Human Services shall retain responsibility to manage
242 the closeout of all grants relating to such programs at the end of
243 June 30, 2000, and shall be authorized to retain sufficient grant
244 funds to properly close out said grant activities. Upon closeout
245 of such grants, any remaining funds will be transferred to the
246 State Board for Community and Junior Colleges by the State Fiscal
247 Officer. Identification, eligibility, certification, enrollment,
248 follow-up, performance standards and sanction liabilities of the
249 TANF clients will remain the sole responsibility of the Department
250 of Human Services. The Department of Human Services shall assist
251 the State Board for Community and Junior Colleges with the
252 greatest degree of cooperation to carry out the intent and purpose
253 of this act and to accomplish an orderly transition.

254 (6) The State Board for Community and Junior Colleges shall
255 set aside from its annual appropriation from the Legislature
256 "incentive funds" to be used exclusively by the Executive Director
257 of the Department of Economic and Community Development, at his
258 discretion, for the purpose of bringing additional economic
259 development activity to the state which includes, but is not
260 limited to, strengthening the environment within our communities
261 for entrepreneurial growth, retaining and creating jobs, and
262 fostering an expanding and globally competitive economy. The
263 Department of Economic and Community Development, in conjunction
264 with the State Board for Community and Junior Colleges, shall
265 develop a memorandum which authorizes the Executive Director of
266 the Department of Economic and Community Development to commit
267 said "incentive funds" and provide for use of funds, including,
268 but not limited to, how funds will be expended, for what purpose,
269 and time frame for use, subject to approval by the Legislature.
270 If "incentive funds" set aside for exclusive use by the Executive

271 Director of the Department of Economic and Community Development
272 are not expended for stated purposes by March 30 of each funding
273 period, said monies will revert back to the annual appropriation
274 funds of the State Board for Community and Junior Colleges to be
275 allocated for projects by the end of June 30 with "carryover"
276 authority to the next funding year granted to the State Board for
277 Community and Junior Colleges for funds not expended. The State
278 Board for Community and Junior Colleges will set accountability
279 guidelines for use of such incentive funds.

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

282 37-4-17. (1) The Legislature shall appropriate to the State
283 Board for Community and Junior Colleges those state funds to be
284 expended for postsecondary vocational-technical education. The
285 State Board for Community and Junior Colleges shall set standards
286 for, approve and expend funds for all postsecondary vocational and
287 technical education programs. The Executive Director of the State
288 Board for Community and Junior Colleges shall be responsible to
289 the state board for the proper administration of the programs of
290 postsecondary vocation and technical education in conformity with
291 the policies adopted by the State Board for Community and Junior
292 Colleges and shall be responsible for appointing any necessary
293 employees to assist in carrying out said programs.

294 (2) The State Board for Community and Junior Colleges shall
295 be the Division of Job Development and Training and shall retain
296 all powers and duties granted by law to the Division of Job
297 Development and Training and wherever the term "Division of Job
298 Development and Training" shall appear in any law it shall mean
299 the State Board for Community and Junior Colleges. The executive
300 director of the State Board for Community and Junior Colleges may
301 assign to appropriate divisions powers and duties as deemed
302 appropriate to carry out the lawful functions of the department.

303 (3) The State Board for Community and Junior Colleges is

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

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

319 (5) The State Board for Community and Junior Colleges is
320 authorized to promulgate such rules and regulations as may be
321 necessary to carry out the provisions of this section.

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

327 (7) The State Board for Community and Junior Colleges, the
328 State Department of Education, the board of trustees of any junior
329 college district, the board of trustees of any school district,
330 the Mississippi Employment Security Commission, and the Division
331 of Job Development and Training, Office of the Governor, shall
332 cooperate in carrying out the provisions of this act. Such
333 cooperation shall include data transfer and information between
334 agencies to the extent allowable by federal and state laws.

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 shall
339 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 said 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." Said 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 said
530 funds were allocated for industry specific training but unexpended
531 for such training. Said funds shall be deposited and administered
532 by 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 hereby repealed.

589 SECTION 14. Nothing in this act shall be construed to
590 conflict with any federal law.

591 SECTION 15. This act shall take effect and be in force from
592 and after July 1, 1999; provided, however, that Sections 4 through
593 13 of this act shall take effect and be in force from and after
594 July 1, 2000.