

By: Senator(s) Burton, Hall, Horhn

To: Economic Dev, Tourism
and Parks;
Appropriations

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, THE DEPARTMENT OF HUMAN
8 SERVICES AND THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION TO THE
9 STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES; TO AUTHORIZE THE
10 STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES TO BE THE SOLE
11 SINGLE ADMINISTRATOR AT THE STATE LEVEL FOR ALL ADULT WORKFORCE
12 TRAINING FUNDS CURRENTLY ADMINISTERED BY THE AFOREMENTIONED STATE
13 AGENCIES; TO AMEND SECTIONS 37-3-25, 37-31-205 THROUGH 37-31-211,
14 37-31-106, 57-1-56 AND 57-61-42, MISSISSIPPI CODE OF 1972, IN
15 CONFORMITY; TO REPEAL SECTIONS 7-1-351, 7-1-355, 7-1-357, 7-1-361,
16 7-1-363, 7-1-365 AND 7-1-371, MISSISSIPPI CODE OF 1972, WHICH
17 AUTHORIZE THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO
18 ADMINISTER, ISSUE REGULATIONS AND ENTER INTO CONTRACTS REGARDING
19 THE FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING ACT PROGRAMS;
20 AND FOR 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 and subcontracted to the
67 Mississippi Employment Security Commission and any state level
68 adult education and training funds made available by any successor
69 program to JTPA, including the Workforce Investment Act of 1998;

70 (f) State Occupational Information and Coordinating
71 committee (SOICC) programs and funds presently 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 presently
75 administered by the Mississippi Department of Economic and
76 Community Development.

77 (3) (a) All powers, duties and functions of the State
78 Department of Education and the State Board of Education that 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 hereby transferred to the State Board for
83 Community and Junior Colleges on July 1, 1999. All powers, duties
84 and functions of the State Department of Education and the State
85 Board of Education that 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 hereby transferred to the
91 State Board for Community and Junior Colleges on July 1, 2000.
92 All records, property and contractual rights and obligations of,
93 and unexpended balances of appropriations and any other
94 allocations to, the State Department of Education that relate to
95 the powers, duties and functions exercised or performed for such
96 programs on June 30, 1999, shall be transferred to the State Board
97 for Community and Junior Colleges on or before July 1 of 1999 or
98 2000, as the case may be. The State Fiscal Officer shall transfer
99 to the State Board for Community and Junior Colleges all funds
100 that 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 that
105 will, by virtue of this act 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. In the event that an agreement
115 cannot be reached between the parties, reassignments shall be
116 created by the Legislature through the agencies' appropriation
117 bills. Authorized transition activities may include, but not be
118 limited to, the enhancement of the State Board for Community and
119 Junior Colleges to manage the additional federal and state funds,
120 budgeting, accounting, grant management, property management,
121 personnel, legal and/or other administrative services. The State
122 Department of Education shall retain responsibility to manage the
123 closeout of all grants relating to Industrial Training Programs
124 and Adult Education Programs at the end of June 30, 1999, and
125 postsecondary vocational-technical programs and postsecondary Carl
126 Perkins programs at the end of June 30, 2000, and shall be
127 authorized to retain sufficient grant funds to properly close-out
128 said grant activities. Upon closeout of such grants, any
129 remaining funds will be transferred to the State Board for
130 Community and Junior Colleges by the State Fiscal Officer. The
131 State Department of Education shall assist the State Board for
132 Community and Junior Colleges with the greatest degree of
133 cooperation to carry out the intent and purpose of this act and to
134 accomplish an orderly transition.

135 (b) The allocation of postsecondary
136 vocational-technical education funds and funds for new or expanded
137 programs and equipment will be allocated based on a formula
138 developed by the State Board for Community and Junior Colleges,

139 which shall be based on the specific training needs of the
140 population served by such community and junior college and the
141 commitment and capacity of the facilities available for such
142 service.

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

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

172 allocations to, the Mississippi Department of Economic and
173 Community Development that relate to the powers, duties and
174 functions exercised or performed for such programs on June 30,
175 1999, shall be transferred to the State Board for Community and
176 Junior Colleges on or before July 1, 2000. The State Fiscal
177 Officer shall transfer to the State Board for Community and Junior
178 Colleges all funds that are allocated to the Mississippi
179 Department of Economic and Community Development for such programs
180 and such funds shall be used by the State Board for Community and
181 Junior Colleges under the same terms and conditions as specified
182 for those funds in the applicable appropriation bill.

183 Sufficient staff shall be transferred from the agencies that will,
184 by virtue of this act have a reduction in training and educational
185 responsibilities, to the State Board for Community and Junior
186 Colleges to assure that those transferred responsibilities shall
187 be properly managed and administered. Determinations as to which
188 jobs shall be transferred shall be made by agreement between the
189 Executive Director of the State Board for Community and Junior
190 Colleges and the chief executive of the affected transferring
191 agencies utilizing information provided by the Legislative Budget
192 Office necessary for the determination of personnel needs and
193 costs of supportive services. In the event that an agreement
194 cannot be reached between the parties, reassignments shall be
195 created by the Legislature through the agencies' appropriation
196 bills. Authorized transition activities may include, but not be
197 limited to, the enhancement of the State Board for Community and
198 Junior Colleges to manage the additional federal and state funds,
199 budgeting, accounting, grant management, property management,
200 personnel, legal and/or other administrative services. The
201 Mississippi Department of Economic and Community Development shall
202 retain responsibility to manage the closeout of all grants
203 relating to such programs until the end of June 30, 2001, and
204 shall be authorized to retain sufficient grant funds to properly

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

212 (3) All powers, duties and functions of the Department of
213 Human Services that are being exercised or performed on June 30,
214 1999, utilizing funds from all sources for training recipients and
215 clients of the Temporary Assistance for Needy Families program
216 (TANF), either directly or indirectly, are hereby transferred to
217 the State Board for Community and Junior Colleges on July 1, 2000.

218 All records, property and contractual rights and obligations of,
219 and unexpended balances of appropriations and any other
220 allocations to, the Department of Human Services that relate to
221 the powers, duties and functions exercised or performed for such
222 programs on June 30, 1999, shall be transferred to the State Board
223 for Community and Junior Colleges on or before July 1, 2000. The
224 State Fiscal Officer shall transfer to the State Board for
225 Community and Junior Colleges all funds that are allocated to the
226 Department of Human Services for such programs and such funds
227 shall be used by the State Board for Community and Junior Colleges
228 under the same terms and conditions as specified for those funds
229 in the applicable appropriation bill. Sufficient staff shall be
230 transferred from the agencies that will, by virtue of this act
231 have a reduction in training and educational responsibilities, to
232 the State Board for Community and Junior Colleges to assure that
233 those transferred responsibilities shall be properly managed and
234 administered. Determinations as to which jobs shall be
235 transferred shall be made by agreement between the Executive
236 Director of the State Board for Community and Junior Colleges and
237 the chief executive of the affected transferring agencies

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

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

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

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

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

301 (2) The State Board for Community and Junior Colleges shall
302 be the Division of Job Development and Training and shall retain
303 all powers and duties granted by law to the Division of Job

304 Development and Training and wherever the term "Division of Job
305 Development and Training" shall appear in any law it shall mean
306 the State Board for Community and Junior Colleges. The executive
307 director of the State Board for Community and Junior Colleges may
308 assign to appropriate divisions powers and duties as deemed
309 appropriate to carry out the lawful functions of the department.

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

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

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

329 (6) To the maximum extent practicable, all programs
330 embracing an institutional training component shall be coordinated
331 with and complementary to the existing state public educational
332 systems and shall not be duplicative or competitive in nature to
333 such systems.

334 (7) The State Board for Community and Junior Colleges, the
335 State Department of Education, the board of trustees of any junior
336 college district, the board of trustees of any school district,

337 the Mississippi Employment Security Commission, and the Division
338 of Job Development and Training, Office of the Governor, shall
339 cooperate in carrying out the provisions of this act.

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

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

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

368 (a) Agriculture;

369 (b) Occupational and consumer home economics;

- 370 (c) Consumer and homemaking education;
371 (d) Trades and industry;
372 (e) Distributive education;
373 (f) Adult education;
374 (g) Teacher training and supervision;
375 (h) Business and office;
376 (i) Health;
377 (j) Industrial arts;
378 (k) Guidance services;
379 (l) Technical education;
380 (m) Cooperative education; and

381 * * *

382 (n) All other specialized primary and secondary
383 training * * *.

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

386 37-31-205. (1) The State Board of Education shall have the
387 authority to:

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

390 (b) Channel funds to secondary schools * * * and
391 regional vocational-technical facilities according to priorities
392 set by the board;

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

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

403 cooperative education, * * * all other specialized primary and
404 secondary training * * *. The State Board of Education shall
405 authorize local school boards, within such school board's
406 discretion, to offer distributive education as a one-hour or
407 two-hour block course. There shall be no reduction of
408 reimbursements from state funding for distributive education due
409 to the selection of either the one-hour or two-hour course
410 offering;

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

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

415 (g) Expend funds to expand career information;

416 (h) Supervise and maintain the division of vocational
417 and technical education and to utilize to the greatest extent
418 possible said division as the administrative unit of the board
419 responsible for coordinating programs and services with local
420 institutions;

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

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

427 (k) Encourage provisions for lifelong learning and
428 changing personal career preferences and advancement of vocational
429 and technical education students through articulated programs
430 between high schools and community/junior colleges;

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

434 (m) Periodically review the funding and reporting
435 processes required of local school districts by the board or

436 division with the aim of simplifying or eliminating inefficient
437 practices and procedures; and

438 (n) Assist in the development of high technology
439 programs and resource centers to support current and projected
440 industrial needs.

441 * * *

442 (2) The State Board for Community and Junior Colleges shall
443 set standards for, approve and expend funds for all postsecondary
444 vocational and technical education programs. * * *

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

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

466 37-31-207. The State Board of Education shall have the
467 following duties:

468 (a) To seek the best available projections of

469 employment and occupations for Mississippians;

470 (b) To utilize these projections and other
471 considerations to set primary and secondary vocational and
472 technical education priorities;

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

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

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

482 (f) Obtain and publish data and information on program
483 performance from those primary and secondary vocational-technical
484 programs receiving state funds; and

485 (g) To notify local school districts * * * prior to
486 March 1 annually of any discontinuation of ongoing vocational
487 programs which would affect the renewing of contracts with
488 vocational personnel.

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

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

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

500 (a) Advise the State Board of Education in the
501 development of comprehensive policies and programs for the

502 improvement of primary and secondary vocational-technical
503 education in the state;

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

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

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

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

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

519 37-31-211. (1) The Legislature shall appropriate to the
520 State Board of Education those state funds to be expended by the
521 board through the Division of Vocational and Technical Education
522 of the State Department of Education for primary and secondary
523 vocational-technical education.

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

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

529 37-31-106. There is hereby created a special fund in the
530 State Treasury to be designated as the "Manpower Development and
531 Training Carryover Fund." Said fund shall be credited with any
532 funds which were previously appropriated by the Legislature to the
533 Industrial Training Program of the State Department of Education
534 General Education Programs Budget for any year for which said

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

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

546 57-1-56. The Occupational Information Coordinating Committee
547 shall be located within the State Board for Community and Junior
548 Colleges and shall develop and implement an occupational
549 information system for vocational education, employment and
550 training programs.

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

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

- 562 (a) Recruitment for available positions;
- 563 (b) Job orientation;
- 564 (c) Job related counseling;
- 565 (d) Motivational services;
- 566 (e) Tutoring of job applicants when appropriate;
- 567 (f) Training;

- 568 (g) Job placement;
- 569 (h) Follow-up services to ensure successful employment;
- 570 (i) Referrals to social services where appropriate.

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

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

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

588 SECTION 13. Sections 7-1-351, 7-1-355, 7-1-357, 7-1-361,
589 7-1-363, 7-1-365 and 7-1-371, Mississippi Code of 1972, which
590 authorize the Department of Economic and Community Development to
591 administer, issue regulations and enter into contracts regarding
592 the federal Comprehensive Employment and Training Act programs,
593 are hereby repealed.

594 SECTION 14. This act shall take effect and be in force from
595 and after July 1, 1999; provided, however, that Sections 4 through
596 13 of this act shall take effect and be in force from and after
597 July 1, 2000.