

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

SENATE BILL NO. 2796  
(As Passed the Senate)

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.