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To: Education;  
 Appropriations

COMMITTEE SUBSTITUTE  
 FOR  
 HOUSE BILL NO. 1448

1 AN ACT RELATING TO THE JUNIOR RESERVE OFFICER TRAINING CORPS  
 2 (JROTC) PROGRAM; TO REQUIRE THE STATE SUPERINTENDENT OF PUBLIC  
 3 EDUCATION TO EMPLOY OR CONTRACT WITH THE MISSISSIPPI NATIONAL  
 4 GUARD FOR A STATEWIDE COORDINATOR FOR JROTC PROGRAMS AND TO  
 5 ESTABLISH THE DUTIES OF THE STATEWIDE COORDINATOR; TO REQUIRE THE  
 6 STATE BOARD OF EDUCATION TO STUDY ISSUES RELATING TO THE FUNDING  
 7 OF JROTC AND THE LICENSURE OF JROTC INSTRUCTORS AND TO REQUIRE THE  
 8 BOARD TO REPORT ITS FINDINGS TO THE EDUCATION COMMITTEES OF THE  
 9 HOUSE AND SENATE BEFORE THE 2002 SESSION; TO AMEND SECTION  
 10 37-61-33, MISSISSIPPI CODE OF 1972, TO INCLUDE JROTC INSTRUCTORS  
 11 IN THE DISTRIBUTION OF EDUCATION ENHANCEMENT FUNDS ALLOCATED FOR  
 12 CLASSROOM SUPPLIES; TO ESTABLISH A JROTC MATCHING GRANT PROGRAM TO  
 13 ASSIST LOCAL SCHOOLS IN FUNDING JROTC PROGRAMS; TO ESTABLISH A  
 14 SCHOLARSHIP PROGRAM FOR JROTC STUDENTS WHO CONTINUE THEIR  
 15 PARTICIPATION IN ROTC IN COLLEGE; AND FOR RELATED PURPOSES.

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

17 SECTION 1. (1) Subject to the availability of funding for  
 18 such purpose, the State Superintendent of Public Education shall  
 19 employ within the State Department of Education or, in the  
 20 alternative, contract with the Mississippi National Guard for a  
 21 statewide coordinator for Junior Reserve Officer Training Corps  
 22 (JROTC) programs in the public schools. If employed by the State  
 23 Department of Education, the JROTC statewide coordinator must be  
 24 an active or retired member of the military and must meet any  
 25 additional qualifications that may be established for the position  
 26 by the State Superintendent of Public Education or State Personnel  
 27 Board.

28 (2) The following are the powers and duties of the JROTC  
 29 statewide coordinator:

30 (a) To coordinate training of new JROTC instructors and  
 31 continuing education programs for certified instructors;

32 (b) To facilitate communication between JROTC programs  
 33 in the various public schools;



- 34           (c) To assist in organizing competitions among JROTC  
35 units from different high schools;
- 36           (d) To assist in the development of the JROTC  
37 curriculum;
- 38           (e) To compile information on scholarships available to  
39 JROTC participants and to solicit support for such scholarships;
- 40           (f) To assist in establishing support groups for  
41 parents of students participating in a JROTC program;
- 42           (g) To solicit financial support for JROTC programs  
43 from private sector donors;
- 44           (h) To promote the involvement of JROTC units within  
45 their local communities;
- 46           (i) To facilitate interaction between JROTC units and  
47 the Mississippi National Guard;
- 48           (j) To promote, in general, the JROTC program in high  
49 schools throughout the state;
- 50           (k) To assist local schools with the application  
51 process for establishing new JROTC programs in high schools; and
- 52           (l) To perform such other duties relating to the JROTC  
53 program established by the State Superintendent of Public  
54 Education or State Board of Education.

55       SECTION 2. The State Board of Education shall study the  
56 issues relating to the funding of Junior Reserve Officer Training  
57 Corps (JROTC) and the licensing of JROTC instructors. In studying  
58 the licensing issue, the board shall consider the credentials  
59 required for certification as a JROTC instructor. The board shall  
60 present a report on its findings concerning these issues along  
61 with any other issues related to JROTC to the Chairman of the  
62 Education Committees of the House of Representatives and Senate  
63 before December 15, 2001, which report must include recommended  
64 legislation necessary to effectuate the board's recommendations  
65 relating to JROTC.



66 SECTION 3. Section 37-61-33, Mississippi Code of 1972, is  
67 amended as follows:

68 **[Until July 1, 2002, this section reads as follows:]**

69 37-61-33. (1) There is \* \* \* created within the State  
70 Treasury a special fund to be designated the "Education  
71 Enhancement Fund" into which shall be deposited all the revenues  
72 collected pursuant to Sections 27-65-75(7) and (8), 27-67-31(a)  
73 and (b) and 27-103-203(1).

74 (2) Of the amount deposited into the Education Enhancement  
75 Fund, excluding revenues deposited pursuant to Section  
76 27-103-203(1), Sixteen Million Dollars (\$16,000,000.00) shall be  
77 appropriated each fiscal year to the State Department of Education  
78 to be distributed to all school districts. Such money shall be  
79 distributed to all school districts in the proportion that the  
80 average daily attendance of each school district bears to the  
81 average daily attendance of all school districts within the state  
82 for the following purposes:

83 (a) Purchasing, erecting, repairing, equipping,  
84 remodeling and enlarging school buildings and related facilities,  
85 including gymnasiums, auditoriums, lunchrooms, vocational training  
86 buildings, libraries, teachers' homes, school barns,  
87 transportation vehicles (which shall include new and used  
88 transportation vehicles) and garages for transportation vehicles,  
89 and purchasing land therefor.

90 (b) Establishing and equipping school athletic fields  
91 and necessary facilities connected therewith, and purchasing land  
92 therefor.

93 (c) Providing necessary water, light, heating, air  
94 conditioning and sewerage facilities for school buildings, and  
95 purchasing land therefor.

96 (d) As a pledge to pay all or a portion of the debt  
97 service on debt issued by the school district under Sections  
98 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351



99 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302  
100 and 37-41-81, or debt issued by boards of supervisors for  
101 agricultural high schools pursuant to Section 37-27-65, if such  
102 pledge is accomplished pursuant to a written contract or  
103 resolution approved and spread upon the minutes of an official  
104 meeting of the district's school board or board of supervisors.  
105 The annual grant to such district in any subsequent year during  
106 the term of the resolution or contract shall not be reduced below  
107 an amount equal to the district's grant amount for the year in  
108 which the contract or resolution was adopted. The intent of this  
109 provision is to allow school districts to irrevocably pledge a  
110 certain, constant stream of revenue as security for long-term  
111 obligations issued under the code sections enumerated in this  
112 paragraph or as otherwise allowed by law. It is the intent of the  
113 Legislature that the provisions of this paragraph shall be  
114 cumulative and supplemental to any existing funding programs or  
115 other authority conferred upon school districts or school boards.  
116 Debt of a district secured by a pledge of sales tax revenue  
117 pursuant to this paragraph shall not be subject to any debt  
118 limitation contained in the foregoing enumerated code sections.

119 (3) The remainder of the money deposited into the Education  
120 Enhancement Fund, excluding funds deposited pursuant to Section  
121 27-103-203(1), shall be appropriated as follows:

122 (a) To the State Department of Education as follows:

123 (i) Eight and thirty-five one-hundredths percent  
124 (8.35%) to be distributed to public school districts for the  
125 funding of textbooks and other educational materials and to be  
126 used by the State Department of Education for the purchase of  
127 textbooks to be loaned under Sections 37-43-1 through 37-43-59 to  
128 approved nonpublic schools, as described under Section 37-43-1.  
129 The amount of funds under this item to be used by the department  
130 for purchasing textbooks to loan to approved nonpublic schools  
131 shall be in the proportion that the average daily attendance of



132 the nonpublic schools that are loaned textbooks by the state bears  
133 to the average daily attendance of all school districts in the  
134 state. The funds distributed to the school districts under this  
135 item shall be in the proportion that the average daily attendance  
136 of each school district bears to the average daily attendance of  
137 all school districts within the state and shall be used to assist  
138 in the funding of textbooks and other educational materials, to  
139 include not more than Two Million Dollars (\$2,000,000.00) each  
140 year for technology enhancement projects for elementary and  
141 secondary education programs;

142 (ii) Seven and ninety-seven one-hundredths percent  
143 (7.97%) to assist the funding of transportation operations and  
144 maintenance pursuant to Section 37-19-23;

145 (iii) Eight and twenty-six one-hundredths percent  
146 (8.26%) to assist the funding of the Uniform Millage Assistance  
147 Grant Program pursuant to Section 37-22-1; and

148 (iv) Nine and sixty-one one-hundredths percent  
149 (9.61%) for classroom supplies, instructional materials and  
150 equipment, including computers and computer software, to be  
151 distributed to all school districts in the proportion that the  
152 average daily attendance of each school district bears to the  
153 average daily attendance of all school districts within the state.  
154 Such funds shall not be expended for administrative purposes.  
155 Local school districts shall allocate classroom supply funds  
156 equally among all classroom teachers and Junior Reserve Officer  
157 Training Corps (JROTC) instructors in the school district. For  
158 purposes of this subparagraph, "teacher" shall mean any employee  
159 of the school board of a school district who is required by law to  
160 obtain a teacher's license from the State Board of Education and  
161 who is assigned to an instructional area of work as defined by the  
162 State Department of Education, but shall not include a federally  
163 funded teacher. Two (2) or more teachers or JROTC instructors may  
164 agree to pool their classroom supply funds for the benefit of a



165 school within the district pursuant to the development of a  
166 spending plan that supports the overall goals of the school which  
167 includes the type, quantity and quality of such supplies,  
168 instructional materials, equipment, computers or computer  
169 software. This plan shall be submitted, in writing, to the school  
170 principal for approval. Classroom supply funds allocated under  
171 this subparagraph shall supplement, not replace, other local and  
172 state funds available for the same purposes. School districts  
173 need not fully expend the funds received under this subparagraph  
174 in the year in which they are received, but such funds may be  
175 carried forward for expenditure in any succeeding school year.  
176 The State Board of Education shall develop and promulgate rules  
177 and regulations for the administration of this subparagraph  
178 consistent with the above criteria, with particular emphasis on  
179 allowing the individual teachers and JROTC instructors to expend  
180 funds as they deem appropriate, with minimum input from school  
181 principals;

182 (b) Twenty-two and nine one-hundredths percent (22.09%)  
183 to the Board of Trustees of State Institutions of Higher Learning  
184 for the purpose of supporting institutions of higher learning; and

185 (c) Fourteen and forty-one one-hundredths percent  
186 (14.41%) to the State Board for Community and Junior Colleges for  
187 the purpose of providing support to community and junior colleges.

188 (4) The amount remaining in the Education Enhancement Fund  
189 after funds are distributed as provided in subsections (2) and (3)  
190 of this section, excluding funds deposited pursuant to Section  
191 27-103-203(1), shall be disbursed as follows:

192 (a) Twenty-five Million Dollars (\$25,000,000.00) shall  
193 be deposited into the Working Cash-Stabilization Reserve Fund  
194 created pursuant to Section 27-103-203(1), until the balance in  
195 such fund reaches the maximum balance of seven and one-half  
196 percent (7-1/2%) of the General Fund appropriations in the  
197 appropriate fiscal year. After the maximum balance in the Working



198 Cash-Stabilization Reserve Fund is reached, such money shall  
199 remain in the Education Enhancement Fund to be appropriated in the  
200 manner provided for in paragraph (b) of this section.

201 (b) The remainder shall be appropriated for other  
202 educational needs.

203 (5) None of the funds appropriated pursuant to subsection  
204 (3)(a) of this section shall be used to reduce the state's general  
205 fund appropriation for the categories listed in an amount below  
206 the following amounts:

207 (a) For subsection (3)(a)(i) of this section, Six  
208 Million Three Hundred Thirty Thousand Nine Hundred Twenty Dollars  
209 (\$6,330,920.00);

210 (b) For subsection (3)(a)(ii) of this section  
211 Thirty-six Million Seven Hundred Thousand Dollars  
212 (\$36,700,000.00);

213 (c) For subsection (3)(a)(iii) of this section,  
214 Twenty-one Million Four Hundred Thousand Dollars (\$21,400,000.00);  
215 and

216 (d) For the aggregate of minimum program allotments  
217 provided for in Chapter 19, Title 37, Mississippi Code of 1972, as  
218 amended, excluding those funds for transportation as provided for  
219 in subsection (5)(b) herein.

220 (6) At the end of a fiscal year, such amounts as required by  
221 Section 27-103-203(1) to be transferred to the Education  
222 Enhancement Fund shall be deposited into the Education Enhancement  
223 Fund and shall be kept separate from other monies in the fund by  
224 the State Treasurer. \* \* \* The monies in such special fund  
225 deposited pursuant to \* \* \* Section 27-103-203(1) shall be subject  
226 to appropriation by the Legislature in the following manner: (a)  
227 fifty percent (50%) to support public education, including but not  
228 limited to, Grades K through 12, Mississippi Educational  
229 Television and/or the Mississippi Library Commission; (b)  
230 twenty-five percent (25%) to support institutions of higher



231 learning; and (c) twenty-five percent (25%) to support the junior  
232 or community colleges. Any amount of such monies transferred into  
233 the separate fund pursuant to Section 27-103-203(1) which is not  
234 appropriated by the Legislature shall not lapse but shall carry  
235 over and be subject to appropriation by the Legislature in the  
236 succeeding fiscal year in the same manner provided in this  
237 subsection \* \* \*. The interest earned on the investment of such  
238 monies transferred pursuant to Section 27-103-203(1) shall be paid  
239 into the separate fund within the Education Enhancement Fund.

240 **[From and after July 1, 2002, this section reads as follows:]**

241 37-61-33. (1) There is \* \* \* created within the State  
242 Treasury a special fund to be designated the "Education  
243 Enhancement Fund" into which shall be deposited all the revenues  
244 collected pursuant to Sections 27-65-75(7) and (8), 27-67-31(a)  
245 and (b) and 27-103-203(1).

246 (2) Of the amount deposited into the Education Enhancement  
247 Fund, excluding revenues deposited pursuant to Section  
248 27-103-203(1), Sixteen Million Dollars (\$16,000,000.00) shall be  
249 appropriated each fiscal year to the State Department of Education  
250 to be distributed to all school districts. Such money shall be  
251 distributed to all school districts in the proportion that the  
252 average daily attendance of each school district bears to the  
253 average daily attendance of all school districts within the state  
254 for the following purposes:

255 (a) Purchasing, erecting, repairing, equipping,  
256 remodeling and enlarging school buildings and related facilities,  
257 including gymnasiums, auditoriums, lunchrooms, vocational training  
258 buildings, libraries, teachers' homes, school barns,  
259 transportation vehicles (which shall include new and used  
260 transportation vehicles) and garages for transportation vehicles,  
261 and purchasing land therefor.



262 (b) Establishing and equipping school athletic fields  
263 and necessary facilities connected therewith, and purchasing land  
264 therefor.

265 (c) Providing necessary water, light, heating, air  
266 conditioning and sewerage facilities for school buildings, and  
267 purchasing land therefor.

268 (d) As a pledge to pay all or a portion of the debt  
269 service on debt issued by the school district under Sections  
270 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351  
271 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302  
272 and 37-41-81, or debt issued by boards of supervisors for  
273 agricultural high schools pursuant to Section 37-27-65, if such  
274 pledge is accomplished pursuant to a written contract or  
275 resolution approved and spread upon the minutes of an official  
276 meeting of the district's school board or board of supervisors.  
277 The annual grant to such district in any subsequent year during  
278 the term of the resolution or contract shall not be reduced below  
279 an amount equal to the district's grant amount for the year in  
280 which the contract or resolution was adopted. The intent of this  
281 provision is to allow school districts to irrevocably pledge a  
282 certain, constant stream of revenue as security for long-term  
283 obligations issued under the code sections enumerated in this  
284 paragraph or as otherwise allowed by law. It is the intent of the  
285 Legislature that the provisions of this paragraph shall be  
286 cumulative and supplemental to any existing funding programs or  
287 other authority conferred upon school districts or school boards.  
288 Debt of a district secured by a pledge of sales tax revenue  
289 pursuant to this paragraph shall not be subject to any debt  
290 limitation contained in the foregoing enumerated code sections.

291 (3) The remainder of the money deposited into the Education  
292 Enhancement Fund, excluding funds deposited pursuant to Section  
293 27-103-203(1), shall be appropriated as follows:

294 (a) To the State Department of Education as follows:



295 (i) Sixteen and sixty-one one-hundredths percent  
296 (16.61%) to the cost of the adequate education program determined  
297 under Section 37-151-7;

298 (ii) Seven and ninety-seven one-hundredths percent  
299 (7.97%) to assist the funding of transportation operations and  
300 maintenance pursuant to Section 37-19-23; and

301 (iii) Nine and sixty-one one-hundredths percent  
302 (9.61%) for classroom supplies, instructional materials and  
303 equipment, including computers and computer software, to be  
304 distributed to all school districts in the proportion that the  
305 average daily attendance of each school district bears to the  
306 average daily attendance of all school districts within the state.

307 It is the intent of the Legislature that all classroom teachers  
308 and Junior Reserve Officer Training Corps (JROTC) instructors  
309 shall be involved in the development of a spending plan that  
310 addresses individual classroom needs and supports the overall  
311 goals of the school regarding supplies, instructional materials,  
312 equipment, computers or computer software under the provisions of  
313 this subparagraph, including the type, quantity and quality of  
314 such supplies, materials and equipment. This plan shall be  
315 submitted to the school principal for approval. School districts  
316 need not fully expend the funds received under this subparagraph  
317 in the year in which they are received, but such funds may be  
318 carried forward for expenditure in any succeeding school year;

319 (b) Twenty-two and nine one-hundredths percent (22.09%)  
320 to the Board of Trustees of State Institutions of Higher Learning  
321 for the purpose of supporting institutions of higher learning; and

322 (c) Fourteen and forty-one one-hundredths percent  
323 (14.41%) to the State Board for Community and Junior Colleges for  
324 the purpose of providing support to community and junior colleges.

325 (4) The amount remaining in the Education Enhancement Fund  
326 after funds are distributed as provided in subsections (2) and (3)



327 of this section, excluding funds deposited pursuant to Section  
328 27-103-203(1), shall be disbursed as follows:

329 (a) Twenty-five Million Dollars (\$25,000,000.00) shall  
330 be deposited into the Working Cash-Stabilization Reserve Fund  
331 created pursuant to Section 27-103-203(1), until the balance in  
332 such fund reaches the maximum balance of seven and one-half  
333 percent (7-1/2%) of the General Fund appropriations in the  
334 appropriate fiscal year. After the maximum balance in the Working  
335 Cash-Stabilization Reserve Fund is reached, such money shall  
336 remain in the Education Enhancement Fund to be appropriated in the  
337 manner provided for in paragraph (b) of this section.

338 (b) The remainder shall be appropriated for other  
339 educational needs.

340 (5) None of the funds appropriated pursuant to subsection  
341 (3)(a) of this section shall be used to reduce the state's general  
342 fund appropriation for the categories listed in an amount below  
343 the following amounts:

344 (a) For subsection (3)(a)(ii) of this section  
345 Thirty-six Million Seven Hundred Thousand Dollars  
346 (\$36,700,000.00); and

347 (b) For the aggregate of minimum program allotments in  
348 the 1997 fiscal year, formerly provided for in Chapter 19, Title  
349 37, Mississippi Code of 1972, as amended, excluding those funds  
350 for transportation as provided for in subsection (5)(a) herein.

351 (6) At the end of a fiscal year, such amounts as required by  
352 Section 27-103-203(1) to be transferred to the Education  
353 Enhancement Fund shall be deposited into the Education Enhancement  
354 Fund and shall be kept separate from other monies in the fund by  
355 the State Treasurer. \* \* \* The monies in such special fund  
356 deposited pursuant to said Section 27-103-203(1) shall be subject  
357 to appropriation by the Legislature in the following manner: (a)  
358 fifty percent (50%) to support public education, including but not  
359 limited to, Grades K through 12, Mississippi Educational



360 Television and/or the Mississippi Library Commission; (b)  
361 twenty-five percent (25%) to support institutions of higher  
362 learning; and (c) twenty-five percent (25%) to support the junior  
363 or community colleges. Any amount of such monies transferred into  
364 the separate fund pursuant to Section 27-103-203(1) which is not  
365 appropriated by the Legislature shall not lapse but shall carry  
366 over and be subject to appropriation by the Legislature in the  
367 succeeding fiscal year in the same manner provided in this  
368 subsection \* \* \*. The interest earned on the investment of such  
369 monies transferred pursuant to Section 27-103-203(1) shall be paid  
370 into said separate fund within the Education Enhancement Fund.

371 SECTION 4. Subject to the availability of funding  
372 appropriated specifically for such purpose, there is established  
373 within the State Department of Education a Junior Reserve Officer  
374 Training Corps (JROTC) grant program available to public schools  
375 to assist in financing JROTC programs. The school board of a  
376 local school district may apply annually to the department on  
377 behalf of a high school or high schools within that district which  
378 have a JROTC program for a grant in the amount of Five Hundred  
379 Dollars (\$500.00) for each JROTC program per school year. The  
380 department shall create a grant application form and shall  
381 designate the date by which applications must be received by the  
382 department. In order to be eligible for a grant under the program  
383 during any school year, the school district or high school  
384 receiving the grant must agree to provide to the school's JROTC  
385 program Five Hundred Dollars (\$500.00), in addition to an amount  
386 equal to the local funding allocated to the program in the  
387 2000-2001 school year, from local school funds. Funds received  
388 through the JROTC grant program may be used for expenses  
389 associated with a high school's JROTC program, including:  
390 supplies; travel costs for students and instructors on official  
391 JROTC sponsored trips or attending JROTC functions; instructional  
392 materials; JROTC uniforms; official JROTC sponsored social events;



393 and any other expenses incurred in the operations of the JROTC  
394 program.

395       SECTION 5. (1) There is established a Junior Reserve  
396 Officer Training Corps (ROTC) scholarship program, the purpose of  
397 which is to encourage and aid eligible high school graduates to  
398 continue their participation in an ROTC program while pursuing a  
399 college education.

400       (2) Beginning in the 2005-2006 school year, any student  
401 classified as a freshman at a baccalaureate degree-granting  
402 institution of higher learning in the state accredited by the  
403 Southern Association of Colleges and Schools and approved by the  
404 Mississippi Commission on College Accreditation or an accredited,  
405 nonprofit community or junior college in the state who graduated  
406 from a high school in Mississippi and who maintained a 2.00 grade  
407 point average calculated on a 4.00 scale in a Junior ROTC program  
408 for four (4) years in high school may apply for a scholarship  
409 under this program. An application must be accompanied by written  
410 letters of recommendation from the principal and Junior ROTC  
411 instructor of the high school from which the applicant graduated  
412 and any other information that may be required pursuant to rules  
413 or regulations established under subsection (5) of this section.  
414 In order to be eligible for a scholarship, an applicant must  
415 enroll in the first year of a two-year or four-year ROTC program  
416 at the institution in which the applicant is enrolled or accepted  
417 for enrollment.

418       (3) The maximum annual scholarship that may be awarded to a  
419 student under this program is One Thousand Dollars (\$1,000.00) per  
420 academic year. For purposes of this section, the term "academic  
421 year" means August 1 through the next succeeding July 31. The  
422 Junior ROTC scholarship is additional to any other scholarship or  
423 financial aid that the student receives, except for awards made  
424 under the Mississippi Resident Tuition Assistance Grant Program  
425 created under Section 37-106-29 or the Mississippi Eminent



426 Scholars Grant Program created under Section 37-106-31, and may be  
427 used for any expenses associated with the student pursuing a  
428 higher education. A student may not receive more than two (2)  
429 annual awards under the Junior ROTC scholarship program.

430 (4) As a condition for renewal of a scholarship, a student  
431 must make steady academic progress toward a certificate or  
432 associate or baccalaureate degree, as certified by the  
433 institution's registrar, and must maintain a cumulative grade  
434 point average of at least 2.50 calculated on a 4.00 scale at the  
435 end of each term. In addition, the student must maintain a 3.00  
436 grade point average calculated on a 4.00 scale in the ROTC  
437 program.

438 (5) The Board of Trustees of State Institutions of Higher  
439 Learning and the State Board of Education jointly shall promulgate  
440 rules and regulations necessary to carry out the purposes and  
441 intent of this section. The Board of Trustees of State  
442 Institutions of Higher Learning shall be the administering agency  
443 of the program.

444 (6) It is the intent of the Legislature to fully fund  
445 scholarships to eligible students under this program. If funds  
446 are insufficient to fully fund scholarships to all eligible  
447 applicants, the board shall award the scholarships to first-time  
448 freshman students on a first-come, first-served basis; however,  
449 priority consideration must be given to persons previously  
450 receiving awards under the program.

451 SECTION 6. This act shall take effect and be in force from  
452 and after July 1, 2001.

