

By: Representatives Brown, Whittington,  
Eads, Mayo, Denny, Baker, Banks, Blackmon,  
Broomfield, Clark, Clarke, Creel, Davis,  
Flaggs, Fleming, Ford, Frierson, Green,  
Holloway, Ishee, Livingston, Martinson,  
Middleton, Moak, Montgomery (74th), Moore (60th), Reeves, Robinson  
(84th), Scott (17th), Smith (27th), Snowden, Straughter, Thomas,  
Wallace, Warren, Watson, Fillingane

To: Education;  
Appropriations

## 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. There is established within the State Department  
372 of Education a Junior Reserve Officer Training Corps (JROTC) grant  
373 program available to public schools to assist in financing JROTC  
374 programs. The school board of a local school district may apply  
375 annually to the department on behalf of a high school or high  
376 schools within that district which have a JROTC program for a  
377 grant in the amount of Five Hundred Dollars (\$500.00) for each  
378 JROTC program per school year. The department shall create a  
379 grant application form and shall designate the date by which  
380 applications must be received by the department. In order to be  
381 eligible for a grant under the program during any school year, the  
382 school district or high school receiving the grant must agree to  
383 provide to the school's JROTC program Five Hundred Dollars  
384 (\$500.00), in addition to the amount of local funding allocated to  
385 the program in the 2000-2001 school year, from local school funds.  
386 Funds received through the JROTC grant program may be used for  
387 expenses associated with a high school's JROTC program, including:

388 supplies; travel costs for students and instructors on official  
389 JROTC sponsored trips or attending JROTC functions; instructional  
390 materials; JROTC uniforms; official JROTC sponsored social events;  
391 and any other expenses incurred in the operations of the JROTC  
392 program.

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

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

415       (3) The maximum annual scholarship that may be awarded to a  
416 student under this program is One Thousand Dollars (\$1,000.00) per  
417 academic year. For purposes of this section, the term "academic  
418 year" means August 1 through the next succeeding July 31. The  
419 Junior ROTC scholarship is additional to any other scholarship or  
420 financial aid that the student receives and may be used for any

421 expenses associated with the student pursuing a higher education.  
422 A student may not receive more than two (2) annual awards under  
423 the Junior ROTC scholarship program.

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

432 (5) The Board of Trustees of State Institutions of Higher  
433 Learning and the State Board of Education jointly shall promulgate  
434 rules and regulations necessary to carry out the purposes and  
435 intent of this section. The Board of Trustees of State  
436 Institutions of Higher Learning shall be the administering agency  
437 of the program.

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

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