

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 776

By Senator(s) Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

18 SECTION 1. Section 37-61-33, Mississippi Code of 1972, is
19 amended as follows:

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

21 37-61-33. (1) There is hereby created within the State
22 Treasury a special fund to be designated the "Education
23 Enhancement Fund" into which shall be deposited all the revenues
24 collected pursuant to Sections 27-65-75(7) and (8) and 27-67-31(a)
25 and (b) * * *.

26 (2) Of the amount deposited into the Education Enhancement
27 Fund, * * * Sixteen Million Dollars (\$16,000,000.00) shall be
28 appropriated each fiscal year to the State Department of Education
29 to be distributed to all school districts. Such money shall be
30 distributed to all school districts in the proportion that the
31 average daily attendance of each school district bears to the
32 average daily attendance of all school districts within the state
33 for the following purposes:

34 (a) Purchasing, erecting, repairing, equipping,

35 remodeling and enlarging school buildings and related facilities,
36 including gymnasiums, auditoriums, lunchrooms, vocational training
37 buildings, libraries, teachers' homes, school barns,
38 transportation vehicles (which shall include new and used
39 transportation vehicles) and garages for transportation vehicles,
40 and purchasing land therefor.

41 (b) Establishing and equipping school athletic fields
42 and necessary facilities connected therewith, and purchasing land
43 therefor.

44 (c) Providing necessary water, light, heating, air
45 conditioning and sewerage facilities for school buildings, and
46 purchasing land therefor.

47 (d) As a pledge to pay all or a portion of the debt
48 service on debt issued by the school district under Sections
49 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351
50 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302
51 and 37-41-81, Mississippi Code of 1972, or debt issued by boards
52 of supervisors for agricultural high schools pursuant to Section
53 37-27-65, Mississippi Code of 1972, if such pledge is accomplished
54 pursuant to a written contract or resolution approved and spread
55 upon the minutes of an official meeting of the district's school
56 board or board of supervisors. The annual grant to such district
57 in any subsequent year during the term of the resolution or
58 contract shall not be reduced below an amount equal to the
59 district's grant amount for the year in which the contract or
60 resolution was adopted. The intent of this provision is to allow
61 school districts to irrevocably pledge a certain, constant stream
62 of revenue as security for long-term obligations issued under the
63 code sections enumerated in this paragraph or as otherwise allowed
64 by law. It is the intent of the Legislature that the provisions

65 of this paragraph shall be cumulative and supplemental to any
66 existing funding programs or other authority conferred upon school
67 districts or school boards. Debt of a district secured by a
68 pledge of sales tax revenue pursuant to this paragraph shall not
69 be subject to any debt limitation contained in the foregoing
70 enumerated code sections.

71 (3) The remainder of the money deposited into the Education
72 Enhancement Fund * * * shall be appropriated as follows:

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

74 (i) Eight and thirty-five one-hundredths percent
75 (8.35%) to be distributed to public school districts for the
76 support of educational programs authorized by law. The funds
77 distributed to the school districts under this item shall be in
78 the proportion that the average daily attendance of each school
79 district bears to the average daily attendance of all school
80 districts within the state * * * ;

81 (ii) Seven and ninety-seven one-hundredths percent
82 (7.97%) to assist the funding of transportation operations and
83 maintenance pursuant to Section 37-19-23;

84 (iii) Eight and twenty-six one-hundredths percent
85 (8.26%) to assist the funding of the Uniform Millage Assistance
86 Grant Program pursuant to Section 37-22-1; and

87 (iv) Nine and sixty-one one-hundredths percent
88 (9.61%), of which Four Million Six Hundred Thousand Dollars
89 (\$4,600,000.00) shall be allocated for classroom supplies,
90 instructional materials and equipment, including computers and
91 computer software, to be distributed to all school districts in
92 the proportion that the average daily attendance of each school
93 district bears to the average daily attendance of all school
94 districts within the state. Classroom supply funds shall not be

95 expended for administrative purposes. Local school districts shall
96 allocate classroom supply funds equally among all classroom
97 teachers in the school district. For purposes of this
98 subparagraph, "teacher" shall mean any employee of the school
99 board of a school district who is required by law to obtain a
100 teacher's license from the State Board of Education and who is
101 assigned to an instructional area of work as defined by the State
102 Department of Education, but shall not include a federally funded
103 teacher. Two (2) or more teachers may agree to pool their
104 classroom supply funds for the benefit of a school within the
105 district pursuant to the development of a spending plan that
106 supports the overall goals of the school which includes the type,
107 quantity and quality of such supplies, instructional materials,
108 equipment, computers or computer software. This plan shall be
109 submitted, in writing, to the school principal for approval.
110 Classroom supply funds allocated under this subparagraph shall
111 supplement, not replace, other local and state funds available for
112 the same purposes. School districts need not fully expend the
113 funds received under this subparagraph in the year in which they
114 are received, but such funds may be carried forward for
115 expenditure in any succeeding school year. The State Board of
116 Education shall develop and promulgate rules and regulations for
117 the administration of this subparagraph consistent with the above
118 criteria, with particular emphasis on allowing the individual
119 teachers to expend funds as they deem appropriate, with minimum
120 input from school principals. The remainder of the funds
121 appropriated to the State Department of Education under this item
122 shall be distributed to public school districts in the proportion
123 that the average daily attendance of each school district bears to
124 the average daily attendance of all school districts in the state

125 for the support of educational programs authorized by law;

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

129 (c) Fourteen and forty-one one-hundredths percent
130 (14.41%) to the State Board for Community and Junior Colleges for
131 the purpose of providing support to community and junior colleges.

132 (4) The amount remaining in the Education Enhancement Fund
133 after funds are distributed as provided in subsections (2) and (3)
134 of this section * * * shall be disbursed as follows:

135 (a) Twenty-five Million Dollars (\$25,000,000.00) shall
136 be deposited into the Working Cash-Stabilization Reserve Fund
137 created pursuant to Section 27-103-203(1), until the balance in
138 such fund reaches the maximum balance of seven and one-half
139 percent (7-1/2%) of the General Fund appropriations in the
140 appropriate fiscal year. After the maximum balance in the Working
141 Cash-Stabilization Reserve Fund is reached, such money shall
142 remain in the Education Enhancement Fund to be appropriated in the
143 manner provided for in paragraph (b) of this section.

144 (b) The remainder shall be appropriated for other
145 educational needs.

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

150 (a) For subsection (3)(a)(i) of this section, Six
151 Million Three Hundred Thirty Thousand Nine Hundred Twenty Dollars
152 (\$6,330,920.00);

153 (b) For subsection (3)(a)(ii) of this section
154 Thirty-six Million Seven Hundred Thousand Dollars

155 (\$36,700,000.00);

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

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

163 * * *

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

165 37-61-33. (1) There is hereby created within the State
166 Treasury a special fund to be designated the "Education
167 Enhancement Fund" into which shall be deposited all the revenues
168 collected pursuant to Sections 27-65-75(7) and (8) and 27-67-31(a)
169 and (b) * * *.

170 (2) Of the amount deposited into the Education Enhancement
171 Fund, * * * Sixteen Million Dollars (\$16,000,000.00) shall be
172 appropriated each fiscal year to the State Department of Education
173 to be distributed to all school districts. Such money shall be
174 distributed to all school districts in the proportion that the
175 average daily attendance of each school district bears to the
176 average daily attendance of all school districts within the state
177 for the following purposes:

178 (a) Purchasing, erecting, repairing, equipping,
179 remodeling and enlarging school buildings and related facilities,
180 including gymnasiums, auditoriums, lunchrooms, vocational training
181 buildings, libraries, teachers' homes, school barns,
182 transportation vehicles (which shall include new and used
183 transportation vehicles) and garages for transportation vehicles,
184 and purchasing land therefor.

185 (b) Establishing and equipping school athletic fields
186 and necessary facilities connected therewith, and purchasing land
187 therefor.

188 (c) Providing necessary water, light, heating, air
189 conditioning and sewerage facilities for school buildings, and
190 purchasing land therefor.

191 (d) As a pledge to pay all or a portion of the debt
192 service on debt issued by the school district under Sections
193 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351
194 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302
195 and 37-41-81, Mississippi Code of 1972, or debt issued by boards
196 of supervisors for agricultural high schools pursuant to Section
197 37-27-65, Mississippi Code of 1972, if such pledge is accomplished
198 pursuant to a written contract or resolution approved and spread
199 upon the minutes of an official meeting of the district's school
200 board or board of supervisors. The annual grant to such district
201 in any subsequent year during the term of the resolution or
202 contract shall not be reduced below an amount equal to the
203 district's grant amount for the year in which the contract or
204 resolution was adopted. The intent of this provision is to allow
205 school districts to irrevocably pledge a certain, constant stream
206 of revenue as security for long-term obligations issued under the
207 code sections enumerated in this paragraph or as otherwise allowed
208 by law. It is the intent of the Legislature that the provisions
209 of this paragraph shall be cumulative and supplemental to any
210 existing funding programs or other authority conferred upon school
211 districts or school boards. Debt of a district secured by a
212 pledge of sales tax revenue pursuant to this paragraph shall not
213 be subject to any debt limitation contained in the foregoing
214 enumerated code sections.

215 (3) The remainder of the money deposited into the Education
216 Enhancement Fund * * * shall be appropriated as follows:

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

218 (i) Sixteen and sixty-one one-hundredths percent
219 (16.61%) to the cost of the adequate education program determined
220 under Section 37-151-7;

221 (ii) Seven and ninety-seven one-hundredths percent
222 (7.97%) to assist the funding of transportation operations and
223 maintenance pursuant to Section 37-19-23; and

224 (iii) Nine and sixty-one one-hundredths percent
225 (9.61%) for classroom supplies, instructional materials and
226 equipment, including computers and computer software, to be
227 distributed to all school districts in the proportion that the
228 average daily attendance of each school district bears to the
229 average daily attendance of all school districts within the state.

230 It is the intent of the Legislature that all classroom teachers
231 shall be involved in the development of a spending plan that
232 addresses individual classroom needs and supports the overall
233 goals of the school regarding supplies, instructional materials,
234 equipment, computers or computer software under the provisions of
235 this subparagraph, including the type, quantity and quality of
236 such supplies, materials and equipment. This plan shall be
237 submitted to the school principal for approval. School districts
238 need not fully expend the funds received under this subparagraph
239 in the year in which they are received, but such funds may be
240 carried forward for expenditure in any succeeding school year.

241 (b) Twenty-two and nine one-hundredths percent (22.09%)
242 to the Board of Trustees of State Institutions of Higher Learning
243 for the purpose of supporting institutions of higher learning, and
244 fourteen and forty-one one-hundredths percent (14.41%) to the

245 State Board for Community and Junior Colleges for the purpose of
246 providing support to community and junior colleges.

247 (4) The amount remaining in the Education Enhancement Fund
248 after funds are distributed as provided in subsections (2) and (3)
249 of this section * * * shall be disbursed as follows:

250 (a) Twenty-five Million Dollars (\$25,000,000.00) shall
251 be deposited into the Working Cash-Stabilization Reserve Fund
252 created pursuant to Section 27-103-203(1), until the balance in
253 such fund reaches the maximum balance of seven and one-half
254 percent (7-1/2%) of the General Fund appropriations in the
255 appropriate fiscal year. After the maximum balance in the Working
256 Cash-Stabilization Reserve Fund is reached, such money shall
257 remain in the Education Enhancement Fund to be appropriated in the
258 manner provided for in paragraph (b) of this section.

259 (b) The remainder shall be appropriated for other
260 educational needs.

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

265 (a) For subsection (3)(a)(ii) of this section
266 Thirty-six Million Seven Hundred Thousand Dollars
267 (\$36,700,000.00);

268 (b) For the aggregate of minimum program allotments in
269 the 1997 fiscal year, formerly provided for in Chapter 19, Title
270 37, Mississippi Code of 1972, as amended, excluding those funds
271 for transportation as provided for in subsection (5)(a) herein.

272 * * *

273 SECTION 2. Section 37-47-33, Mississippi Code of 1972, is
274 amended as follows:

275 37-47-33. For the purpose of (a) providing funds to enable
276 the state educational finance commission to make loans or advances
277 to school districts as provided by Section 37-47-25, and for the
278 purpose of (b) providing funds for the payment and redemption of
279 certificates of credit issued to school districts under Section
280 37-47-23, when such funds are not otherwise available, or for the
281 purpose of (c) providing funds for the payment of allocations of
282 Mississippi Adequate Education Program funds to school districts
283 for capital expenditures approved by the State Board of Education
284 which have not been pledged for debt by the school district, when
285 such funds are not otherwise available, or for any of such
286 purposes, the State Bond Commission is hereby authorized and
287 empowered to issue state school bonds under the conditions
288 prescribed in this chapter. The aggregate principal amount of
289 such bonds outstanding at any one (1) time, after deducting the
290 amount of the sinking fund provided for the retirement of bonds
291 issued for such purposes, shall never exceed the sum of One
292 Hundred Million Dollars (\$100,000,000.00). Within such limits,
293 however, state school bonds may be issued from time to time under
294 the conditions prescribed in this chapter. None of such bonds so
295 issued shall have a maturity date later than July 1, 2021.

296 SECTION 3. Section 27-103-203, Mississippi Code of 1972, is
297 amended as follows:

298 27-103-203. (1) There is created in the State Treasury a
299 special fund, separate and apart from any other fund, to be
300 designated the Working Cash-Stabilization Reserve Fund, into which
301 shall be deposited one hundred percent (100%) of the unencumbered
302 General Fund cash balance at the close of each fiscal year until
303 such time as the balance in the fund reaches Forty Million Dollars
304 (\$40,000,000.00). After the balance in the fund reaches Forty

305 Million Dollars (\$40,000,000.00), fifty percent (50%) of the
306 unencumbered General Fund cash balance at the close of each fiscal
307 year, not to exceed seven and one-half percent (7-1/2%) of the
308 General Fund appropriations for such fiscal year, shall be
309 deposited into the fund. The remainder of the year-end
310 unencumbered cash after transfer to the Working Cash-Stabilization
311 Reserve Fund shall remain in the General Fund * * *. Unencumbered
312 cash in the General Fund may be used for new year cash flow needs
313 and may also be used for deficit appropriations or regular
314 appropriations.

315 (2) The Working Cash-Stabilization Reserve Fund shall not be
316 considered as a surplus or available funds when adopting a
317 balanced budget as required by law. The State Treasurer shall
318 invest all sums in the Working Cash-Stabilization Reserve Fund not
319 needed for the purposes provided for in this section in
320 certificates of deposit, repurchase agreements and other
321 securities as authorized in Sections 27-105-33(d) or 7-9-103, as
322 the State Treasurer may determine to yield the highest market rate
323 available. The interest earned on such sums shall be deposited in
324 the fund until the balance of principal and interest therein
325 reaches seven and one-half percent (7-1/2%) of the total General
326 Fund appropriations for the current fiscal year, and all interest
327 earned in excess of amounts necessary to maintain the seven and
328 one-half percent (7-1/2%) fund balance requirement shall be
329 deposited by the State Treasurer into the State General Fund.

330 (3) The Working Cash-Stabilization Reserve Fund, except for
331 Nineteen Million Dollars (\$19,000,000.00) and the amount of the
332 interest and income earned on the principal of the Ayers Endowment
333 Trust created by Section 37-101-27, shall be used by the State
334 Treasurer for cash flow needs throughout the year when the

335 Executive Director of the Department of Finance and Administration
336 certifies that in his opinion there will be cash flow deficiencies
337 in the State General Fund. No borrowing of monies from other
338 special funds for such purposes as authorized by Section 31-17-101
339 et seq. shall be made as long as an unencumbered balance in excess
340 of Nineteen Million Dollars (\$19,000,000.00) and the interest and
341 income earned on the principal of the Ayers Endowment Trust
342 created by Section 37-101-27 remains in the fund. The State
343 Treasurer shall reimburse the fund for all sums borrowed for such
344 purposes from General Fund revenues collected during the fiscal
345 year in which such funds are used. The State Treasurer shall
346 immediately notify the Legislative Budget Office and the State
347 Department of Finance and Administration of each transfer into and
348 out of such fund. Four Million Dollars (\$4,000,000.00) in the
349 Working Cash-Stabilization Reserve Fund shall remain available for
350 use pursuant to Section 27-103-81. Fifteen Million Dollars
351 (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund
352 shall remain available for exclusive use of the Ayers Endowment
353 Trust created by Section 37-101-27.

354 (4) The Working Cash-Stabilization Reserve Fund, except for
355 Forty Million Dollars (\$40,000,000.00), shall also be used for the
356 purpose of covering any projected deficits that may occur in the
357 General Fund at the end of a fiscal year as a result of revenue
358 shortfalls. In the event the Governor determines that a deficit
359 in revenues from all sources may occur, it shall be the duty of
360 the Executive Director of the Department of Finance and
361 Administration to transfer such funds as necessary to the General
362 Fund to alleviate the deficit in accordance with Sections
363 27-104-13 and 31-17-123; however, not more than Fifty Million
364 Dollars (\$50,000,000.00) may be transferred from the fund for such

365 purpose in any one (1) fiscal year. In the event it becomes
366 necessary to apply a part of the fund to this purpose, the amount
367 so applied shall be restored to the Working Cash-Stabilization
368 Reserve Fund out of future annual surpluses, as provided in
369 subsection (1) of this section, until the seven and one-half
370 percent (7-1/2%) maximum is again attained.

371 (5) The Working Cash-Stabilization Reserve Fund also shall
372 be used to provide funds for the Disaster Assistance Trust Fund
373 when such funds are immediately needed to provide for disaster
374 assistance under Sections 33-15-103 through 33-15-317. Any
375 transfer of funds from the Working Cash-Stabilization Reserve Fund
376 to the Disaster Assistance Trust Fund shall be made in accordance
377 with the provisions of subsection (5) of Section 33-15-307.

378 (6) The Department of Finance and Administration shall
379 immediately send notice of any transfers made, or other action
380 taken under authority of this section, to the Legislative Budget
381 Office.

382 (7) Funds deposited in the Working Cash-Stabilization
383 Reserve Fund shall be used only for the purposes specified in this
384 section and as long as the provisions of this section remain in
385 effect, no other expenditure, appropriation or transfer of funds
386 in the Working Cash-Stabilization Reserve Fund shall be made
387 except by act of the Legislature making specific reference to the
388 Working Cash-Stabilization Reserve Fund as the source of such
389 funds.

390 SECTION 4. Section 27-103-125, Mississippi Code of 1972, is
391 amended as follows:

392 27-103-125. The proposed budget of each state agency shall
393 show the amounts required for operating expenses separately from
394 the amounts required for permanent improvements. The overall

395 budget shall show, separately by each source, the estimated amount
396 of general fund revenue and of special fund revenues of general
397 fund agencies. The total proposed expenditures in Part 1 of the
398 overall budget shall not exceed the amount of estimated revenues
399 which will be available in the general and special funds for
400 appropriation or use during the succeeding fiscal year, including
401 any balances which will be on hand in the general and special
402 funds at the close of the then current fiscal year. Beginning
403 with the budget for fiscal year 1994, the total proposed
404 expenditures from the General Fund in Part 1 of the overall budget
405 shall not exceed ninety-eight percent (98%) of the amount of
406 General Fund revenue estimate for the succeeding fiscal year, plus
407 any unencumbered balances in general funds that will be available
408 and on hand at the close of the then current fiscal year. The
409 General Fund revenue estimate shall be the estimate jointly
410 adopted by the Governor and the Joint Legislative Budget
411 Committee. Unencumbered balances in general funds that will be
412 available and on hand at the close of the current fiscal year
413 shall not include projected amounts required to be deposited into
414 the Working Cash-Stabilization Reserve Fund * * * pursuant to
415 Section 27-103-203. The Legislative Budget Office may recommend
416 additional taxes or sources of revenue if in its judgment such
417 additional funds are necessary to adequately support the functions
418 of the state government.

419 SECTION 5. Section 27-103-211, Mississippi Code of 1972, is
420 amended as follows:

421 27-103-211. Beginning with the appropriations for fiscal
422 year 1994, the total sum appropriated by the Legislature from the
423 State General Fund for any fiscal year shall not exceed
424 ninety-eight percent (98%) of the General Fund revenue estimate

425 for that fiscal year developed by the Tax Commission and the
426 University Research Center and adopted by the Joint Legislative
427 Budget Committee, plus any unencumbered balances in general funds
428 that will be available and on hand at the close of the then
429 current fiscal year. The unencumbered balances in general funds
430 that will be available and on hand at the close of the fiscal year
431 shall not include projected amounts required to be deposited into
432 the Working Cash-Stabilization Reserve Fund * * * pursuant to
433 Section 27-103-203(1).

434 SECTION 6. Section 31-7-14.1, Mississippi Code of 1972, is
435 amended as follows:

436 31-7-14.1. (1) Any agency as defined in this chapter that
437 receives state budgetary consideration and has submitted a
438 detailed energy management plan to the Energy Division of the
439 Department of Economic and Community Development, referred to in
440 this section as "division," as required under Section 57-39-111
441 shall undertake energy efficiency projects for the purpose of
442 producing energy and/or dollar savings whereby a portion of the
443 savings may be retained by the participating agency. The plan
444 shall describe specific measures to be implemented to reduce the
445 agency's energy consumption by energy unit measure or energy cost.

446 The division shall provide assistance in preparing the detailed
447 energy management plan according to prescribed guidelines and
448 reporting procedures. The plan shall specify a project
449 description of the energy efficiency measures to be undertaken,
450 including, but not limited to, type of measure, cost, estimated
451 savings in dollars and energy units, project and measure location,
452 and terms and conditions of project financing.

453 (2) (a) Utilizing data submitted under Sections 57-39-107
454 and 57-39-109, the division shall develop and approve energy

455 consumption baselines before project implementation, if feasible,
456 and measure energy consumption after project implementation
457 considering adjustments for any agency growth or reduction and
458 seasonal variances, and calculate total energy savings. The
459 division shall derive a baseline use allocation to be utilized and
460 submitted in each participating agency's annual budget.

461 (b) For purposes of this section, "net savings" and
462 "net revenues" mean any funds remaining after payment of project
463 capital costs, including debt service, and other payments and
464 reserves as required by a bond resolution, loan agreement or other
465 financing agreement and payment of project operating and
466 maintenance expenses.

467 (3) Net savings and net revenues generated from projects
468 shall be apportioned as follows:

469 (a) Any agency initiating energy savings through the
470 implementation of an energy efficiency project may retain one-half
471 (1/2) of all such net savings which may be used for any
472 nonrecurring capital projects; and

473 (b) The remaining net savings and net revenues from
474 conservation projects shall be remitted to the State General
475 Fund. * * *

476 The Energy Division shall verify the net savings and net
477 revenues on an annual basis.

478 (4) The use by an agency of net savings and net revenues
479 from energy efficiency projects shall be in addition to, and shall
480 not supplant or replace, funding from traditional sources for
481 their normal operations and maintenance or capital budgets. It is
482 the intent of this subsection to ensure that the agencies receive
483 the full benefit intended by this section, and that the effect
484 will not be diminished by budget adjustments inconsistent with

485 this intent.

486 SECTION 7. This act shall take effect and be in force from
487 and after its passage.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972,
2 TO DIVERT, UNTIL JULY 1, 2002, EDUCATION ENHANCEMENT FUNDS THAT
3 ARE ALLOCATED FOR THE PURCHASE OF TEXTBOOKS AND A PORTION OF SUCH
4 FUNDS ALLOCATED FOR CLASSROOM SUPPLIES TO THE SUPPORT OF
5 EDUCATIONAL PROGRAMS AUTHORIZED BY LAW; TO AMEND SECTION 37-47-33,
6 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT STATE GENERAL OBLIGATION
7 BONDS MAY BE ISSUED FOR THE PURPOSE OF PROVIDING FUNDS FOR THE
8 PAYMENT OF ALLOCATIONS OF ADEQUATE EDUCATION PROGRAM FUNDS TO
9 SCHOOL DISTRICTS FOR CAPITAL EXPENDITURES WHICH HAVE NOT BEEN
10 PLEDGED FOR DEBT; TO AMEND SECTIONS 27-103-203, 27-103-125,
11 27-103-211 AND 31-7-14.1, MISSISSIPPI CODE OF 1972, TO DELETE THE
12 "HOUSE BILL 400" PROVISION WHICH REQUIRES THAT 50% OF THE
13 UNENCUMBERED YEAR-END CASH BALANCE BE TRANSFERRED INTO THE
14 EDUCATION ENHANCEMENT FUND, AND TO PROVIDE THAT ANY SUCH
15 UNENCUMBERED YEAR-END CASH SHALL REMAIN IN THE STATE GENERAL FUND;
16 AND FOR RELATED PURPOSES.