

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1696**

**BY: Committee**

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

5           **SECTION 1.** The following sums, or so much thereof as may be  
6 necessary, are hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the purpose of  
8 funding K-12 and other related educational activities, including  
9 certain agencies and programs, in the State of Mississippi, for  
10 the fiscal year beginning July 1, 2004, and ending June 30, 2005,  
11 as follows:

12           (a) To the State Board of Education for the purpose of  
13 defraying the expenses of the State Department of Education, and  
14 excluding the expenses of the Vocational and Technical Education  
15 Division..... \$       63,990,085.00.

16           (b) To the State Board of Education for the purpose of  
17 defraying the expenses of the Vocational and Technical Education  
18 Division of the State Department of Education.....  
19 ..... \$       69,464,333.00.

20           (c) To the State Board of Education for the purpose of  
21 paying annual compensation to the Chickasaw Cession counties for  
22 sixteenth section lands which they lost through sale by the state,

23 as provided in Section 29-3-137 through 29-3-141, Mississippi Code  
24 of 1972..... \$ 9,249,612.00.

25 (d) To the State Board of Education for defraying the  
26 expenses of the Mississippi Adequate Education Program.....  
27 ..... \$ 1,504,652,409.00.

28 (e) To the State Board of Education for the purpose of  
29 defraying the expenses of the Mississippi School for the Blind and  
30 the Mississippi School for the Deaf..... \$ 8,979,705.00.

31 (f) To the Mississippi Authority for Educational  
32 Television for the purpose of defraying the expenses of the  
33 authority ..... \$ 5,352,562.00.

34 (g) To the Mississippi Library Commission for the  
35 support and maintenance of the commission and for carrying out the  
36 provisions of Section 39-3-107, Mississippi Code of 1972.....  
37 ..... \$ 10,100,698.00.

38 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED  
39 BY THIS SECTION BEING..... \$ 1,671,789,404.00.

40 **SECTION 2.** The following sums, or so much thereof as may be  
41 necessary, are hereby appropriated out of any money in any special  
42 fund in the State Treasury to the credit of the proper fund or  
43 funds of the agencies or programs specified in the following  
44 paragraphs for the fiscal year beginning July 1, 2004, and ending  
45 June 30, 2005, as follows:

46 (a) To the State Board of Education for the purpose of  
47 defraying the expenses of the State Department of Education, and  
48 excluding the expenses of the Vocational and Technical Education  
49 Division..... \$ 668,026,065.00.

50 (b) To the State Board of Education for the purpose of  
51 defraying the expenses of the Vocational and Technical Education  
52 Division of the State Department of Education.....  
53 ..... \$ 24,066,421.00.

54 (c) To the State Board of Education for the purpose of  
55 defraying the expenses of the Mississippi Adequate Education  
56 Program..... \$ 172,426,410.00.

57 (d) To the State Board of Education for the purpose of  
58 defraying the expenses of the Mississippi School for the Blind and  
59 the Mississippi School for the Deaf..... \$ 988,991.00.

60 (e) To the Mississippi Authority for Educational  
61 Television for the purpose of defraying the expenses of the  
62 authority..... \$ 4,752,118.00.

63 (f) To the Mississippi Library Commission for the  
64 purpose of defraying the expenses of the commission.....  
65 ..... \$ 2,880,566.00.

66 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED  
67 BY THIS SECTION BEING..... \$ 873,140,571.00.

68 **STATE BOARD OF EDUCATION**

69 **SECTION 3.** Of the funds appropriated under the provisions of  
70 Section 2 to the State Board of Education, the following sums, or  
71 so much thereof as may be necessary, are derived out of any money  
72 in the State Treasury to the credit of the Education Enhancement  
73 Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code  
74 of 1972, as follows:

75 (a) To the State Department of Education, and excluding  
76 the expenses of the Vocational and Technical Education Division,  
77 for the following purposes:

78 Grants to school districts for capital  
79 facilities and buses.....\$ 16,000,000.00.  
80 Instructional materials.....\$ 19,443,086.00.  
81 Tech prep bond service.....\$ 3,225,425.00.  
82 Implementing Performance Based Data  
83 Collection and Accreditation  
84 Model.....\$ 274,937.00.  
85 Administrator training.....\$ 120,675.00.

86	World Class Teacher Program.....	\$ 125,000.00.
87	Mississippi School Boards	
88	Continuing Training.....	\$ 47,041.00.
89	School board training.....	\$ 58,697.00.
90	Education Technology Council.....	\$ 94,082.00.
91	TOTAL.....	\$ 39,388,943.00.

92 (b) To the State Department of Education to defray the  
93 expenses of the Vocational and Technical Education Division.....  
94 ..... \$ 7,863,746.00.

95 (c) To the State Department of Education to provide  
96 funding for the Mississippi Adequate Education Program.....  
97 ..... \$102,426,410.00.

98 **SECTION 4.** With the funds appropriated under the provisions  
99 of this act to the State Board of Education, the following  
100 positions are authorized to the State Department of Education, and  
101 excluding the expenses of the Vocational and Technical Education  
102 Division:

103 AUTHORIZED POSITIONS:

104	Permanent:	Full Time.....	467
105		Part Time.....	3
106	Time-Limited:	Full Time.....	80
107		Part Time.....	0

108 **SECTION 5.** In compliance with the "Mississippi Performance  
109 Budget and Strategic Planning Act of 1994," it is the intent of  
110 the Legislature that the funds provided herein for the State  
111 Department of Education Programs shall be utilized in the most  
112 efficient and effective manner possible to achieve the intended  
113 mission of this agency. Based on the funding authorized, this  
114 agency shall make every effort to attain the targeted performance  
115 measures provided below:

116		FY2005
117	<u>Performance Measures</u>	<u>Target</u>

118	Special Education	
119	Approved Funding for Children (Persons)	87,897,368
120	Teacher Units Approved for Funding (Units)	4,672.39
121	Child Nutrition	
122	Number of Meals Required (Millions)	121
123	Cost per Meal (\$)	2.28
124	Special Projects	
125	Building Projects Approved (Projects)	0
126	Project Approval Rate (%)	0
127	MS School For Math & Science	
128	Students Enrolled (Persons)	270
129	Cost per Student (\$)	15,717.03
130	Educational Accountability	
131	Performance Accreditation Visits (Visits)	30
132	Tests Administered (Persons)	468,115
133	Compliance & Performance Reviews (Actions)	25
134	Educ Training & Development	
135	Administrators Trained (Persons)	1,000
136	Administrators Trained (%)	0.60
137	Technical Assistance to School Districts (%)	92
138	Compensatory Education	
139	Title I Projects Awarded (Programs)	152
140	Average Expenditure per Child (\$)	612
141	Review & Approve Delinquent Prgs (Programs)	7
142	Community & Outreach Services	
143	Requested Available Federal Funding (%)	100
144	MS School Attendance Officers	
145	Resolutions to Referrals (%)	0.86
146	School Visits (Number of)	30,000
147	MS Teacher Center	
148	Teachers Recruited in Shortage Areas (Number)	1,700

149 A reporting of the degree to which the performance targets  
150 set above have been or are being achieved shall be provided in the  
151 agency's budget request submitted to the Joint Legislative Budget  
152 Committee for Fiscal Year 2006.

153 **SECTION 6.** In compliance with the "Mississippi Performance  
154 Budget and Strategic Planning Act of 1994," it is the intent of  
155 the Legislature that the funds provided herein for the Mississippi  
156 Adequate Education Program shall be utilized in the most efficient  
157 and effective manner possible to achieve the intended mission of  
158 this agency. Based on the funding authorized, this agency shall  
159 make every effort to attain the targeted performance measures  
160 provided below:

	FY2005
<u>Performance Measures</u>	<u>Target</u>
163 Basic Program	
164 Increase the number of students scoring basic	
165 & above on the MS Curriculum Test in	
166 grades 2-8, reading, language & math (%)	2.00
167 Increase the number of students achieving	
168 the passing score on the History test (%)	0.08
169 Increase the number of students achieving	
170 the passing score on the Biology test (%)	2.00
171 Increase the number of students achieving	
172 the passing score on the Algebra test (%)	2.00

173 A reporting of the degree to which the performance targets  
174 set above have been or are being achieved shall be provided in the  
175 agency's budget request submitted to the Joint Legislative Budget  
176 Committee for Fiscal Year 2006.

177 **SECTION 7.** Of the funds appropriated in Section 2, Forty-six  
178 Million Dollars (\$46,000,000.00) shall be derived from the School  
179 Ad Valorem Reduction Fund.

180 No school district shall expend any funds, received under the  
181 School Ad Valorem Reduction Grant, unless such school district has  
182 specifically identified the amount of said grant within the  
183 published budget as required by Section 37-61-9, Mississippi Code  
184 of 1972. The published budget shall include the following  
185 statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result  
186 of the Ad Valorem Reduction Grants enacted by the Mississippi  
187 Legislature in 1992."

188 **SECTION 8.** Of the funds appropriated in Section 2 to the  
189 State Board of Education, Two Million One Hundred Thousand Dollars  
190 (\$2,100,000.00) shall be derived from the Technology in Classroom  
191 Fund 3203 for the purpose of defraying the expenses of the State  
192 Department of Education, and excluding the expenses of the  
193 Vocational and Technical Education Division.

194 **SECTION 9.** Of the funds appropriated under the provisions of  
195 Section 2 to the State Board of Education, funds in the amount of  
196 One Million Five Hundred Eighty-five Thousand Six Hundred  
197 Fifty-three Dollars (\$1,585,653.00) shall come from income derived  
198 from the principal of the Education Improvement Trust Fund created  
199 by Section 206A, Mississippi Constitution of 1890, and One Million  
200 Five Hundred Eighty-five Thousand Six Hundred Fifty-three Dollars  
201 (\$1,585,653.00) shall be used for the School for Math and Science.

202 **SECTION 10.** With the funds appropriated under the provisions  
203 of this act to the State Board of Education, the following  
204 positions are authorized to the Vocational and Technical Education  
205 Division of the State Department of Education:

206 AUTHORIZED POSITIONS:

207	Permanent:	Full Time.....	59
208		Part Time.....	0
209	Time-Limited:	Full Time.....	3
210		Part Time.....	0

211           **SECTION 11.** In compliance with the "Mississippi Performance  
 212 Budget and Strategic Planning Act of 1994," it is the intent of  
 213 the Legislature that the funds provided herein for the Vocational  
 214 and Technical Education budget shall be utilized in the most  
 215 efficient and effective manner possible to achieve the intended  
 216 mission of this agency. Based on the funding authorized, this  
 217 agency shall make every effort to attain the targeted performance  
 218 measures provided below:

	FY2005
<u>Performance Measures</u>	<u>Target</u>
221 Secondary Programs	
222       Increase in Students Served (%)	2,000
223       LEAs Served (Sites)	154
224 Post-secondary Programs	
225       Short-Term Students Served (Persons)	679
226       Short-Term Adult Program Classes (Classes)	138
227       Short-Term Cost per Student (\$)	50

228       A reporting of the degree to which the performance targets  
 229 set above have been or are being achieved shall be provided in the  
 230 agency's budget request submitted to the Joint Legislative Budget  
 231 Committee for Fiscal Year 2006.

232           **SECTION 12.** Of the funds appropriated under the provisions  
 233 of this act to the State Board of Education, an amount not to  
 234 exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four  
 235 Dollars (\$229,684.00) is authorized for the support of vocational  
 236 and technical education programs as authorized in Section  
 237 37-31-13, Mississippi Code of 1972, for a period in excess of ten  
 238 (10) months in a calendar year.

239           **SECTION 13.** It is the intention of the Legislature that the  
 240 Vocational and Technical Education Division of the State  
 241 Department of Education shall, with the funds appropriated in  
 242 Section 1 to the State Board of Education, transfer no more than



243 One Hundred Thousand Dollars (\$100,000.00) to the Mississippi Soil  
244 and Water Conservation Commission for the purpose of providing  
245 matching funds to purchase soil conservation equipment.

246 **SECTION 14.** Of the funds appropriated in this act to the  
247 State Board of Education, no more than One Hundred Thousand  
248 Dollars (\$100,000.00) is provided for the purpose of supporting  
249 the Future Farmers of America Center.

250 **SECTION 15.** Of the funds provided in Section 1 to the State  
251 Board of Education for the purpose of providing financial  
252 assistance for the education of exceptional children as determined  
253 under Section 37-23-63, Mississippi Code of 1972, children who are  
254 certified by the designated authority as requiring inpatient care  
255 in a private intermediate care facility for the mentally retarded  
256 or psychiatric residential treatment facility, with Medicaid  
257 reimbursement, shall be eligible and entitled to receive state  
258 financial assistance under the provisions of Section 37-23-69, in  
259 an amount not to exceed Five Thousand Dollars (\$5,000.00) from  
260 state funds, per child per school year, if an approved private  
261 school is operated as an integral part of the facility which  
262 provides twenty-four (24) hours a day monitoring, treatment and  
263 education, except that the State Department of Education is  
264 authorized to pilot a fee-for-service based cost system for  
265 children served through Millcreek Schools, Inc.

266 **SECTION 16.** Of the funds provided in Section 1 to the State  
267 Board of Education, Four Hundred Nineteen Thousand Eighty Six  
268 Dollars (\$419,086.00) shall be used to provide for a Director of  
269 School Nurses in the State Department of Education and the  
270 implementation of three (3) pilot projects for a variety of school  
271 health programs in an elementary school setting. Evaluations  
272 shall be developed to determine the program's effect to drop-out  
273 rates, suspensions, expulsions, attendance and test scores.

274           Income generated by the school-based clinics shall remain  
275 available for expenditure by the programs utilizing any special  
276 fund authority provided in Section 2 for use by the State  
277 Department of Education and the pilots shall remain the same as in  
278 Fiscal Year 2004.

279           **SECTION 17.** It is the intention of the Legislature that the  
280 State Department of Education shall have the authority to accept,  
281 budget and expend any source funds not to exceed Thirty Million  
282 Dollars (\$30,000,000.00), that become available to the department  
283 to carry out the provisions of those funds in a manner consistent  
284 with the rules and regulations of the Department of Finance and  
285 Administration.

286           **SECTION 18.** The State Department of Education shall transfer  
287 the designated amounts to the appropriate entities, which shall  
288 assume full responsibility for the expenditure of these funds in  
289 accordance with state laws and accept all responsibility for any  
290 improper expenditure. For the following: National Guard Youth  
291 Challenge Program, World Class Teacher Programs, USM Special  
292 Education Program, Soil and Water Conservation Commission,  
293 Mississippi School Boards Association, Mississippi Eye Screening  
294 Program-Vision Research Corporation and Very Special Arts, Arts  
295 Institute, Jobs for Mississippi Graduates, and Mississippi  
296 Symphony, University of Southern Mississippi Safe Schools Program,  
297 Mississippi State University Center for Education Design, Writing  
298 and Thinking Institute and Greater Columbus Early Learning Center.

299           **SECTION 19.** Of the funds appropriated under the provisions  
300 of this act to the State Board of Education, the amount of Two  
301 Hundred Sixty-seven Thousand Eight Hundred Ninety-two Dollars  
302 (\$267,892.00) is provided for the Walnut Grove Correctional  
303 Facility.

304           **SECTION 20.** Of the funds appropriated in Section 1 to the  
305 State Board of Education, the amounts of Two Hundred Sixty-seven

306 Thousand Eight Hundred Ninety-two Dollars (\$267,892.00) is  
307 provided for the Writing and Thinking Institute and Sixty-six  
308 Thousand Nine Hundred Seventy-three Dollars (\$66,973.00) is  
309 provided for the Very Special Arts Program.

310       **SECTION 21.** Of the funds appropriated in this act to the  
311 State Board of Education, the State Department of Education shall  
312 expend an amount not to exceed Three Hundred Thousand Dollars  
313 (\$300,000.00) for the purpose of providing technical assistance  
314 and training to local school districts in the development of  
315 behavior modification plans and to provide funding to defray the  
316 costs of psychological evaluations performed upon a child in  
317 compliance with the Mississippi School Safety Act of 2001. Local  
318 school districts shall be required to report to the State  
319 Department of Education all expulsions of students as authorized  
320 under Section 6 of Senate Bill No. 2239, 2001 Regular Session.  
321 The State Department of Education shall annually report to the  
322 Legislature by January of each year.

323       **SECTION 22.** Of the funds appropriated in this act to the  
324 State Board of Education, an amount not to exceed One Million  
325 Three Hundred Thousand Dollars (\$1,300,000.00) shall be used for  
326 technological methods for agricultural programs from the  
327 Vocational and Technical Education Division of the State  
328 Department of Education.

329       **SECTION 23.** Of the funds appropriated in Section 1 to the  
330 State Board of Education, an amount not to exceed Two Million  
331 Sixty-four Thousand Five Hundred Sixteen Dollars (\$2,064,516.00)  
332 shall be transferred from the State Department of Education to the  
333 Mississippi National Guard for the support of the Youth Challenge  
334 Program at Camp Shelby.

335       **SECTION 24.** It is the intention of the Legislature that at  
336 least Sixteen Million Dollars (\$16,000,000.00) be expended for  
337 textbooks as defined in Section 37-43-1. The State Department of

338 Education shall report to the Legislature the amount of  
339 expenditures for each school district no later than October 31,  
340 2005.

341       **SECTION 25.** Of the funds appropriated under Section 1 to the  
342 State Board of Education, the sum of Sixty-two Thousand One  
343 Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate  
344 sum that the school districts in the Chickasaw Cession receive  
345 annually from interest payments from the Chickasaw School Fund  
346 under Section 212, Mississippi Constitution of 1890, shall be  
347 deducted from the allocations to the school districts as provided  
348 in Section 29-3-137, Mississippi Code of 1972, and shall be  
349 distributed among the school districts in the Chickasaw Cession by  
350 the State Department of Education in the manner that such interest  
351 payments were distributed during Fiscal Year 1985.

352       **SECTION 26.** Of the funds provided in this act to the State  
353 Board of Education for the purpose of funding the Mississippi  
354 Adequate Education Program as determined under Section 37-151-7,  
355 Mississippi Code of 1972, the base student cost in Fiscal Year  
356 2005 shall be Three Thousand Six Hundred Thirty-six Dollars  
357 (\$3,636.00).

358       **SECTION 27.** Of the funds appropriated in this act to the  
359 State Board of Education, an amount not more than Fifty Million  
360 Dollars (\$50,000,000.00) shall be derived from the Interim School  
361 District Capital Expenditure Fund for the benefit of the school  
362 districts as authorized in Mississippi Code Annotated, Section  
363 37-151-7 (5).

364       **SECTION 28.** Of the funds appropriated in this act to the  
365 State Board of Education, it is the intention of the Legislature  
366 that Twenty Million Dollars (\$20,000,000.00) from the Public  
367 School Building Fund shall be used for the Mississippi Adequate  
368 Education Program.

369           **SECTION 29.** With the funds appropriated under the provisions  
370 of this act to the State Board of Education, the following  
371 positions are authorized for the Mississippi School for the Blind  
372 and the Mississippi School for the Deaf:

373       AUTHORIZED POSITIONS:

374	Permanent:	Full Time.....	200
375		Part Time.....	29
376	Time-Limited:	Full Time.....	1
377		Part Time.....	0

378       None of the funds provided in this act to the State Board of  
379 Education shall be expended to hire any person on a contractual  
380 basis, for any period for any purpose, without the express prior  
381 approval of the State Personnel Director. The State Personnel  
382 Director shall consider, in approving such contracts, the  
383 availability of funds, the need for services, compliance with the  
384 State Compensation Plan and the qualifications of the persons  
385 offering to perform the services. The State Fiscal Officer shall  
386 not pay any warrant that is in violation of this section.

387           **SECTION 30.** With the funds provided in this act to the State  
388 Board of Education, it is the intention of the Legislature that  
389 the academic teachers at the Mississippi School for the Deaf and  
390 the Mississippi School for the Blind shall receive their annual  
391 increment.

392                           **MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION**

393           **SECTION 31.** With the funds appropriated under the provisions  
394 of this act to the Mississippi Authority for Educational  
395 Television, the following positions are authorized:

396       AUTHORIZED POSITIONS:

397	Permanent:	Full Time.....	122
398		Part Time.....	0
399	Time-Limited:	Full Time.....	7
400		Part Time.....	0

401 Funds appropriated herein shall first be used for the  
402 continuation of a full and complete broadcast schedule of  
403 educational and instructional, professional growth, and public  
404 service programs, with the production of new films and programs to  
405 be secondary thereto.

406 **SECTION 32.** In compliance with the "Mississippi Performance  
407 Budget and Strategic Planning Act of 1994," it is the intent of  
408 the Legislature that the funds provided herein for the Educational  
409 Television budget shall be utilized in the most efficient and  
410 effective manner possible to achieve the intended mission of this  
411 agency. Based on the funding authorized, this agency shall make  
412 every effort to attain the targeted performance measures provided  
413 below:

414		FY2005
415	<u>Performance Measures</u>	<u>Target</u>
416	Content Development	
417	Number of locally produced TV programs	37
418	Number of locally produced Radio programs	36
419	Number of persons using other Educ Services	27,500
420	Technical Services	
421	Number of transmitters on air (analog & DTV)	16
422	On air reliability (TV)	96.70
423	Activate multiple network delivery	3
424	Administration	
425	Increase number of web site users	100
426	Number of agency personnel provided training	35
427	A reporting of the degree to which the performance targets	
428	set above have been or are being achieved shall be provided in the	
429	agency's budget request submitted to the Joint Legislative Budget	
430	Committee for Fiscal Year 2006.	

431 **SECTION 33.** Of the funds appropriated under the provisions  
432 of Section 2 to the Mississippi Authority for Educational

433 Television, One Million Six Hundred Forty-four Thousand  
434 Sixty-seven Dollars (\$1,644,067.00) shall be derived from the  
435 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
436 and 27-67-31, Mississippi Code of 1972.

437       **SECTION 34.** No part of the funds appropriated in this act to  
438 the Mississippi Authority for Educational Television shall be  
439 transferred to, expended by, or used, directly or indirectly, for  
440 the benefit of any public relations, publicity or publication  
441 activities of any other state agency, department or officer, nor  
442 shall any personnel paid or equipment purchased with funds  
443 appropriated hereby be transferred or assigned to any other state  
444 agency, department or officer for public relations, publicity or  
445 publication activities of such office.

446       **SECTION 35.** It is the intention of the Legislature that the  
447 Mississippi Authority for Educational Television shall have the  
448 authority to expend funds in the Capital Equipment Replacement  
449 Revolving Fund, in accordance with Section 37-63-17, Mississippi  
450 Code of 1972, Annotated, for the purpose of purchasing technical  
451 equipment for operating the educational radio and television  
452 facilities.

453       **SECTION 36.** It is the intention of the Legislature that the  
454 Mississippi Authority for Educational Television shall have the  
455 authority to escalate its budget and expend funds from any source  
456 not to exceed Two Million Dollars (\$2,000,000.00) in accordance  
457 with rules and regulations of the Department of Finance and  
458 Administration in a manner consistent with the escalation of  
459 federal funds.

460                                   **MISSISSIPPI LIBRARY COMMISSION**

461       **SECTION 37.** Of the funds appropriated under the provisions  
462 of this act to the Mississippi Library Commission, the following  
463 positions are authorized:

464       AUTHORIZED POSITIONS:

465	Permanent:	Full Time.....	52
466		Part Time.....	0
467	Time-Limited:	Full Time.....	0
468		Part Time.....	0

469 Funds to be distributed to eligible public library systems  
470 under the Personnel Incentive Grants Program shall be paid  
471 quarterly in advance on or before September 30, December 31, March  
472 31 and June 30.

473 **SECTION 38.** In compliance with the "Mississippi Performance  
474 Budget and Strategic Planning Act of 1994," it is the intent of  
475 the Legislature that the funds provided herein for the Library  
476 Commission budget shall be utilized in the most efficient and  
477 effective manner possible to achieve the intended mission of this  
478 agency. Based on the funding authorized, this agency shall make  
479 every effort to attain the targeted performance measures provided  
480 below:

481		FY2005
482	<u>Performance Measures</u>	<u>Target</u>
483	Administrative Services	
484	Avg Cost of Administering per Grant (\$)	150
485	Executive Director's Office	
486	Public Libraries Visited (Actions)	50
487	Library Aid	
488	Grants Provided (# of Grants)	150
489	MAGNOLIA Database Searches (# Queries)	1,500,000
490	Network Services	
491	Cost (per hour) for technical consulting	27
492	Public Services	
493	Attendees satisfaction rating of cont ed prog	90
494	A reporting of the degree to which the performance targets	
495	set above have been or are being achieved shall be provided in the	



496 agency's budget request submitted to the Joint Legislative Budget  
497 Committee for Fiscal Year 2006.

498       **SECTION 39.** Of the funds appropriated under the provisions  
499 of Section 2 to the Mississippi Library Commission, Four Hundred  
500 Ninety-three Thousand Eight Hundred Forty-seven Dollars  
501 (\$493,847.00) shall be derived from the Education Enhancement Fund  
502 deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi  
503 Code of 1972.

504       **SECTION 40.** It is the intention of the Legislature that the  
505 Mississippi Library Commission shall have the authority to  
506 escalate its budget and expend funds from any source not to exceed  
507 Three Million Dollars (\$3,000,000.00) in accordance with rules and  
508 regulations of the Department of Finance and Administration in a  
509 manner consistent with the escalation of federal funds.

510       **SECTION 41.** Of the funds appropriated in this act to the  
511 Mississippi Library Commission, not less than One Million  
512 Eighty-six Thousand Three Hundred Forty Dollars (\$1,086,340.00)  
513 shall be expended for the Magnolia Database.

514       **SECTION 42.** With the funds herein appropriated to the State  
515 Board of Education, the Mississippi Authority for Educational  
516 Television and the Mississippi Library Commission, with the funds  
517 herein appropriated, it is the intention of the Legislature that  
518 it shall be the agency's responsibility to make certain that funds  
519 required to be appropriated for "Personal Services" for Fiscal  
520 Year 2006 do not exceed Fiscal Year 2005 funds appropriated for  
521 that purpose, unless programs or positions are added to the  
522 agency's Fiscal Year 2006 budget by the Mississippi Legislature.  
523 Based on data provided by the Legislative Budget Office, the State  
524 Personnel Board shall determine and publish the projected annual  
525 cost to fully fund all appropriated positions in compliance with  
526 the provisions of this act. It shall be the responsibility of the  
527 agency head to insure that no single personnel action increases

528 this projected annual cost and/or the Fiscal Year 2005  
529 appropriation for "Personal Services" when annualized, with the  
530 exception of escalated funds. If, at the time the agency takes  
531 any action to change "Personal Services," the State Personnel  
532 Board determines that the agency has taken an action which would  
533 cause the agency to exceed this projected annual cost or the  
534 Fiscal Year 2005 "Personal Services" appropriated level, when  
535 annualized, then only those actions which reduce the projected  
536 annual cost and/or the appropriation requirement will be processed  
537 by the State Personnel Board until such time as the requirements  
538 of this provision are met.

539 Any transfers or escalations shall be made in accordance with  
540 the terms, conditions and procedures established by law or  
541 allowable under the terms set forth within this act. The State  
542 Personnel Board shall not escalate positions without written  
543 approval from the Department of Finance and Administration. The  
544 Department of Finance and Administration shall not provide written  
545 approval to escalate any funds for salaries and/or positions  
546 without proof of availability of new or additional funds above the  
547 appropriated level.

548 No general funds authorized to be expended herein shall be  
549 used to replace federal funds and/or other special funds which are  
550 being used for salaries authorized under the provisions of this  
551 act and which are withdrawn and no longer available.

552 **SECTION 43.** It is the intention of the Legislature that no  
553 State General Funds authorized to be expended in this act shall be  
554 used to replace federal funds and/or other special funds which are  
555 being used for salaries authorized under the provisions of this  
556 act and which are withdrawn and no longer available.

557 With respect to agency programs whose operation is dependent  
558 on the receipt of federal funds, it is the intent of the  
559 Legislature, except as hereinafter provided, that no funds from

560 the State General Fund be expended to administer, support or in  
561 any way continue such programs should federal funds for their  
562 operation be reduced or become unavailable and that no funds from  
563 the State General Fund available for expenditure under this act  
564 shall be used to replace federal funds in any major object of  
565 expenditure.

566 Any transfers or escalations shall be made in accordance with  
567 the terms, conditions, and procedures established by law.

568 **SECTION 44.** It is the intention of the Legislature that the  
569 State Board of Education, Authority for Educational Television,  
570 and the Mississippi Library Commission, shall maintain complete  
571 accounting and personnel records related to the expenditure of all  
572 funds appropriated under the provisions of this act and that such  
573 records shall be in the same format and level of details as  
574 maintained for Fiscal Year 2004. It is further the intention of  
575 the Legislature that the budget requests for Fiscal Year 2006  
576 shall be submitted to the Joint Legislative Budget Committee in a  
577 format and level of detail comparable to the format and level of  
578 detail provided during the Fiscal Year 2005 budget request process  
579 for each agency and institution appropriated funds within the  
580 provisions of this act.

581 **SECTION 45.** The money herein appropriated shall be paid by  
582 the State Treasurer out of any money in the proper fund or funds  
583 as set forth in this act, upon warrants issued by the State Fiscal  
584 Officer; and the State Fiscal Officer shall issue his warrants  
585 upon requisitions signed by the proper person, officer or officers  
586 in the manner provided by law.

587 **SECTION 46.** This act shall take effect and be in force from  
588 and after July 1, 2004.

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

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING  
2 K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN  
3 AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL  
4 YEAR 2005.