

By: Representatives Brown, Broomfield,  
Dickson, Hudson, Markham, Peranich,  
Straughter, Warren, Weathersby

To: Appropriations

HOUSE BILL NO. 1559

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 2007.

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

6 SECTION 1. The following sums, or so much thereof as may be  
7 necessary, are hereby appropriated out of any money in the State  
8 General Fund not otherwise appropriated, for the purpose of  
9 funding K-12 and other related educational activities, including  
10 certain agencies and programs, in the State of Mississippi, for  
11 the fiscal year beginning July 1, 2006, and ending June 30, 2007,  
12 as follows:

13 (a) To the State Board of Education for the purpose of  
14 defraying the expenses of the State Department of Education, and  
15 excluding the expenses of the Vocational and Technical Education  
16 Division..... \$ 73,146,186.00.

17 (b) To the State Board of Education for the purpose of  
18 defraying the expenses of the Vocational and Technical Education  
19 Division of the State Department of Education.....  
20 ..... \$ 67,901,942.00.

21 (c) To the State Board of Education for the purpose of  
22 paying annual compensation to the Chickasaw Cession counties for  
23 sixteenth section lands which they lost through sale by the state,  
24 as provided in Section 29-3-137 through 29-3-141, Mississippi Code  
25 of 1972..... \$ 11,076,826.00.

26 (d) To the State Board of Education for defraying the  
27 expenses of the Mississippi Adequate Education Program.....  
28 ..... \$ 1,768,960,058.00.

29 (e) To the State Board of Education for the purpose of  
30 defraying the expenses of the Mississippi School for the Blind and  
31 the Mississippi School for the Deaf..... \$ 9,833,250.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED  
33 BY THIS SECTION BEING..... \$ 1,930,918,262.00.

34 **SECTION 2.** The following sums, or so much thereof as may be  
35 necessary, are hereby appropriated out of any money in any special  
36 fund in the State Treasury to the credit of the proper fund or  
37 funds of the agencies or programs specified in the following  
38 paragraphs for the fiscal year beginning July 1, 2006, and ending  
39 June 30, 2007, as follows:

40 (a) To the State Board of Education for the purpose of  
41 defraying the expenses of the State Department of Education, and  
42 excluding the expenses of the Vocational and Technical Education  
43 Division..... \$ 671,292,674.00.

44 (b) To the State Board of Education for the purpose of  
45 defraying the expenses of the Vocational and Technical Education  
46 Division of the State Department of Education.....  
47 ..... \$ 23,918,658.00.

48 (c) To the State Board of Education for the purpose of  
49 defraying the expenses of the Mississippi Adequate Education  
50 Program..... \$ 214,670,171.00.

51 (d) To the State Board of Education for the purpose of  
52 defraying the expenses of the Mississippi School for the Blind and  
53 the Mississippi School for the Deaf..... \$ 754,103.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED  
55 BY THIS SECTION BEING..... \$ 910,635,606.00.

56 **SECTION 3.** The following sums, or so much thereof as may be  
57 necessary, are hereby appropriated out of any money in the State  
58 Treasury to the credit of the Budget Contingency Fund created in  
59 Section 27-103-301, Mississippi Code of 1972, not otherwise  
60 appropriated, for the purpose of funding K-12 and other  
61 educational activities, including certain agencies and programs,

62 in the State of Mississippi, for the fiscal year beginning July 1,  
63 2006, and ending June 30, 2007, as follows:

64 To the State Board of Education for defraying the expenses of  
65 the Mississippi Adequate Education Program.....  
66 ..... \$ 36,729,873.00.

67 TOTAL AMOUNT OF BUDGET CONTINGENCY FUNDS

68 APPROPRIATED BY THIS SECTION BEING..... \$ 36,729,873.00.

69 **SECTION 4.** Of the funds appropriated under the provisions of  
70 Section 2 to the State Board of Education, One Hundred Seventy-  
71 Four Thousand One Hundred Ninety-six Dollars (\$174,196.00), or so  
72 much thereof as may be necessary, is appropriated out of any money  
73 in the State Treasury to the credit of the Health Care Expendable  
74 Fund to the State Department of Education for the purpose of  
75 defraying the expenses of the department for the Mississippi Eye  
76 Screening Program for providing vision safety services.

77 **SECTION 5.** Of the funds appropriated under the provisions of  
78 Section 2 to the State Board of Education, the following sums, or  
79 so much thereof as may be necessary, are derived out of any money  
80 in the State Treasury to the credit of the Education Enhancement  
81 Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code  
82 of 1972, as follows:

83 (a) To the State Department of Education, and excluding  
84 the expenses of the Vocational and Technical Education Division,  
85 for the following purposes:

86 Grants to school districts for capital  
87 facilities and buses.....\$ 16,000,000.00.  
88 Instructional materials.....\$ 6,194,875.00.  
89 Tech prep bond service.....\$ 3,212,725.00.  
90 Implementing Performance Based Data  
91 Collection and Accreditation  
92 Model.....\$ 274,937.00.  
93 World Class Teacher Program.....\$ 125,000.00.  
94 Testing.....\$ 226,413.00.

95 Education Technology Council.....\$ 94,082.00.  
 96 TOTAL.....\$ 26,128,032.00.

97 (b) To the State Department of Education to defray the  
 98 expenses of the Vocational and Technical Education Division.....  
 99 ..... \$ 7,863,746.00.

100 (c) To the State Department of Education to provide  
 101 funding for the Mississippi Adequate Education Program.....  
 102 ..... \$144,670,171.00.

103 **SECTION 6.** Of the funds appropriated under the provisions of  
 104 this act to the State Board of Education, not more than the  
 105 amounts set forth below shall be expended for the respective major  
 106 objects or purposes of expenditure for the State Department of  
 107 Education, and excluding the expenses of the Vocational and  
 108 Technical Education Division:

109 MAJOR OBJECTS OF EXPENDITURE:

110 Personal Services:

111 Salaries, Wages and Fringe Benefits.. \$ 24,177,214.00  
 112 Travel and Subsistence..... 1,356,249.00  
 113 Contractual Services..... 33,948,457.00  
 114 Commodities..... 7,024,993.00

115 Capital Outlay:

116 Other Than Equipment..... 1,255,000.00  
 117 Equipment..... 2,025,000.00  
 118 Subsidies, Loans and Grants..... 674,651,947.00  
 119 Total..... \$ 744,438,860.00

120 FUNDING:

121 General Funds..... \$ 73,146,186.00  
 122 Special Funds..... 671,292,674.00  
 123 Total..... \$ 744,438,860.00

124 AUTHORIZED POSITIONS:

125 Permanent: Full Time..... 420  
 126 Part Time..... 3  
 127 Time-Limited: Full Time..... 66

128 Part Time ..... 0

129 **SECTION 7.** It is the intention of the Legislature that the  
130 State Superintendent for the Department of Education, and  
131 excluding the expenses of the Vocational and Technical Education  
132 Division may increase major objects of expenditure in total  
133 amounts not to exceed twenty-five percent (25%) of the  
134 appropriated amount of each major object of expenditure, provided  
135 that other major objects of expenditure are decreased by a  
136 corresponding dollar amount and provided the Executive Director of  
137 the Mississippi Department of Finance and Administration also  
138 approves with written authorization. However, no transfers shall  
139 be authorized which increase the major object of expenditure  
140 "Salaries, Wages and Fringe Benefits."

141 **SECTION 8.** In compliance with the "Mississippi Performance  
142 Budget and Strategic Planning Act of 1994," it is the intent of  
143 the Legislature that the funds provided herein shall be utilized  
144 in the most efficient and effective manner possible to achieve the  
145 intended mission of the State Department of Education, and  
146 excluding the expenses of the Vocational and Technical Education  
147 Division. Based on the funding authorized, this agency shall make  
148 every effort to attain the targeted performance measures provided  
149 below:

150		FY2007
151	<u>Performance Measures</u>	<u>Target</u>
152	Special Education	
153	Approved Funding for Children (\$ in millions)	87.89
154	Teacher Units Approved for Funding (Units)	4,672
155	Child Nutrition	
156	Number of Meals Required (Millions)	121
157	Cost per Meal (\$)	2.28
158	MS School For Math & Science	
159	Students Enrolled (Persons)	270
160	Cost per Student (\$)	15,717.00

161	Educational Accountability	
162	Performance Accreditation Visits (Visits)	30
163	Tests Administered (Persons)	738,491
164	Compliance & Performance Reviews (Actions)	25
165	Educ Training & Development	
166	Administrators Trained (Persons)	1,000
167	Administrators Trained (%)	35
168	Technical Assistance to School Districts (%)	92
169	Compensatory Education	
170	Title I Projects Awarded (Programs)	152
171	Average Expenditure per Child (\$)	612
172	Review & Approve Delinquent Prgs (Programs)	6
173	Community & Outreach Services	
174	Requested Available Federal Funding (%)	100
175	MS School Attendance Officers	
176	Resolutions to Referrals (%)	90
177	School Visits (Number of)	25,000
178	MS Teacher Center	
179	Teachers Recruited in Shortage Areas (Number)	1,800

180       A reporting of the degree to which the performance targets  
181 set above have been or are being achieved shall be provided in the  
182 agency's budget request submitted to the Joint Legislative Budget  
183 Committee for Fiscal Year 2008.

184       **SECTION 9.** In compliance with the "Mississippi Performance  
185 Budget and Strategic Planning Act of 1994," it is the intent of  
186 the Legislature that the funds provided herein shall be utilized  
187 in the most efficient and effective manner possible to achieve the  
188 intended mission of the Mississippi Adequate Education Program.  
189 Based on the funding authorized, this agency shall make every  
190 effort to attain the targeted performance measures provided below:

191		FY2007
192	<u>Performance Measures</u>	<u>Target</u>
193	Basic Program	

194 Percentage of students scoring basic and  
 195 above on the MS Curriculum Test in grades 2-8  
 196 in reading, language and math (%) 95  
 197 Percentage of students achieving the passing  
 198 score on the History Test (%) 96  
 199 Percentage of students achieving the passing  
 200 score on the Biology test (%) 90  
 201 Percentage of students achieving the passing  
 202 score on the Algebra test (%) 90  
 203 Provide 100% Funding of the Base Student Cost 100  
 204 A reporting of the degree to which the performance targets  
 205 set above have been or are being achieved shall be provided in the  
 206 agency's budget request submitted to the Joint Legislative Budget  
 207 Committee for Fiscal Year 2008.

208 **SECTION 10.** Of the funds appropriated in Section 2,  
 209 Forty-six Million Dollars (\$46,000,000.00) shall be derived from  
 210 the School Ad Valorem Reduction Fund.

211 No school district shall expend any funds, received under the  
 212 School Ad Valorem Reduction Grant, unless such school district has  
 213 specifically identified the amount of said grant within the  
 214 published budget as required by Section 37-61-9, Mississippi Code  
 215 of 1972. The published budget shall include the following  
 216 statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result  
 217 of the Ad Valorem Reduction Grants enacted by the Mississippi  
 218 Legislature in 1992."

219 **SECTION 11.** Of the funds appropriated in Section 2 to the  
 220 State Board of Education, Two Million One Hundred Thousand Dollars  
 221 (\$2,100,000.00) shall be derived from the Technology in Classroom  
 222 Fund 3203 for the purpose of defraying the expenses of the State  
 223 Department of Education, and excluding the expenses of the  
 224 Vocational and Technical Education Division.

225 **SECTION 12.** Of the funds appropriated under the provisions  
 226 of Section 2 to the State Board of Education, funds in the amount

227 of One Million Dollars (\$1,000,000.00) shall come from income  
 228 derived from the principal of the Education Improvement Trust Fund  
 229 created by Section 206A, Mississippi Constitution of 1890, and One  
 230 Million Dollars (\$1,000,000.00) shall be used for the School for  
 231 Math and Science.

232 **SECTION 13.** With the funds appropriated under the provisions  
 233 of this act to the State Board of Education, the following  
 234 positions are authorized for the Vocational and Technical  
 235 Education Division of the State Department of Education:

236 AUTHORIZED POSITIONS:

237	Permanent:	Full Time.....	50
238		Part Time.....	0
239	Time-Limited:	Full Time.....	3
240		Part Time.....	0

241 **SECTION 14.** In compliance with the "Mississippi Performance  
 242 Budget and Strategic Planning Act of 1994," it is the intent of  
 243 the Legislature that the funds provided herein shall be utilized  
 244 in the most efficient and effective manner possible to achieve the  
 245 intended mission of the Vocational and Technical Education  
 246 Division of the State Department of Education. Based on the  
 247 funding authorized, this agency shall make every effort to attain  
 248 the targeted performance measures provided below:

249		FY2007
250	<u>Performance Measures</u>	<u>Target</u>
251	Secondary Programs	
252	Increase in Students Served (%)	1.00
253	LEAs Served (Sites)	144
254	Post-secondary Programs	
255	Short-Term Students Served (Persons)	2,800
256	Short-Term Adult Program Classes (Classes)	225
257	Short-Term Cost per Student (\$)	45.00

258 A reporting of the degree to which the performance targets  
 259 set above have been or are being achieved shall be provided in the



260 agency's budget request submitted to the Joint Legislative Budget  
261 Committee for Fiscal Year 2008.

262       **SECTION 15.** Of the funds appropriated under the provisions  
263 of this act to the State Board of Education, an amount not to  
264 exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four  
265 Dollars (\$229,684.00) is authorized for the support of vocational  
266 and technical education programs as authorized in Section  
267 37-31-13, Mississippi Code of 1972, for a period in excess of ten  
268 (10) months in a calendar year.

269       **SECTION 16.** It is the intention of the Legislature that the  
270 Vocational and Technical Education Division of the State  
271 Department of Education shall, with the funds appropriated in  
272 Section 1 to the State Board of Education, transfer no more than  
273 One Hundred Thousand Dollars (\$100,000.00) to the Mississippi Soil  
274 and Water Conservation Commission for the purpose of providing  
275 matching funds to purchase soil conservation equipment.

276       **SECTION 17.** Of the funds appropriated in this act to the  
277 State Board of Education, no more than One Hundred Thousand  
278 Dollars (\$100,000.00) is provided for the purpose of supporting  
279 the Future Farmers of America Center.

280       **SECTION 18.** Of the funds provided in Section 1 to the State  
281 Board of Education for the purpose of providing financial  
282 assistance for the education of exceptional children as determined  
283 under Section 37-23-63, Mississippi Code of 1972, children who are  
284 certified by the designated authority as requiring inpatient care  
285 in a private intermediate care facility for the mentally retarded  
286 or psychiatric residential treatment facility, with Medicaid  
287 reimbursement, shall be eligible and entitled to receive state  
288 financial assistance under the provisions of Section 37-23-69, in  
289 an amount not to exceed Five Thousand Dollars (\$5,000.00) from  
290 state funds, per child per school year, if an approved private  
291 school is operated as an integral part of the facility which  
292 provides twenty-four (24) hours a day monitoring, treatment and

293 education, except that the State Department of Education is  
294 authorized to pilot a fee-for-service based cost system for  
295 children served through Millcreek Schools, Inc.

296       **SECTION 19.** Of the funds provided in Section 1 to the State  
297 Board of Education, Two Hundred Twenty-two Thousand Six Hundred  
298 Ninety-five Dollars (\$222,695.00) shall be used to provide for a  
299 Director of School Nurses in the State Department of Education and  
300 the implementation of three (3) pilot projects for a variety of  
301 school health programs in an elementary school setting.  
302 Evaluations shall be developed to determine the program's effect  
303 to drop-out rates, suspensions, expulsions, attendance and test  
304 scores.

305       Income generated by the school-based clinics shall remain  
306 available for expenditure by the programs utilizing any special  
307 fund authority provided in Section 2 for use by the State  
308 Department of Education and the pilots shall remain the same as in  
309 Fiscal Year 2006.

310       **SECTION 20.** It is the intention of the Legislature that the  
311 State Department of Education shall have the authority to accept,  
312 budget and expend any source funds not to exceed Thirty Million  
313 Dollars (\$30,000,000.00), that become available to the department  
314 to carry out the provisions of those funds in a manner consistent  
315 with the rules and regulations of the Department of Finance and  
316 Administration.

317       **SECTION 21.** The State Department of Education shall transfer  
318 the designated amounts to the appropriate entities, which shall  
319 assume full responsibility for the expenditure of these funds in  
320 accordance with state laws and accept all responsibility for any  
321 improper expenditure. For the following: World Class Teacher  
322 Programs, USM Special Education Program, Soil and Water  
323 Conservation Commission, Mississippi School Boards Association,  
324 Mississippi Eye Screening Program-Vision Research Corporation and  
325 Very Special Arts, Arts Institute, Jobs for Mississippi Graduates,

326 and Mississippi Symphony, University of Southern Mississippi Safe  
327 Schools Program, Mississippi State University Center for Education  
328 Design, Writing and Thinking Institute and Greater Columbus Early  
329 Learning Center.

330       **SECTION 22.** Of the funds appropriated under the provisions  
331 of this act to the State Board of Education, the amount of Two  
332 Hundred Forty-one Thousand Five Hundred Sixty-eight Dollars  
333 (\$241,568.00) is provided for the Walnut Grove Correctional  
334 Facility.

335       **SECTION 23.** Of the funds appropriated in Section 1 to the  
336 State Board of Education, the amounts of Two Hundred Twenty-five  
337 Thousand Dollars (\$225,000.00) is provided for the Writing and  
338 Thinking Institute and Sixty-four Thousand Three Hundred  
339 Thirty-eight Dollars (\$64,338.00) is provided for the Very Special  
340 Arts Program.

341       **SECTION 24.** Of the funds appropriated in this act to the  
342 State Board of Education, an amount not to exceed Six Hundred  
343 Fifty Thousand Dollars (\$650,000.00) shall be used for  
344 technological methods for agricultural programs from the  
345 Vocational and Technical Education Division of the State  
346 Department of Education.

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

358           **SECTION 26.** Of the funds provided in this act to the State  
359 Board of Education for the purpose of funding the Mississippi  
360 Adequate Education Program as determined under Section 37-151-7,  
361 Mississippi Code of 1972, the base student cost in Fiscal Year  
362 2007 shall be Four Thousand Three Hundred Sixty-nine Dollars  
363 (\$4,369.00).

364           **SECTION 27.** Of the funds appropriated in this act to the  
365 State Board of Education, an amount not more than Fifty Million  
366 Dollars (\$50,000,000.00) shall be derived from the Interim School  
367 District Capital Expenditure Fund for the benefit of the school  
368 districts as authorized in Mississippi Code Annotated, Section  
369 37-151-7 (5).

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

375           **SECTION 29.** With the funds appropriated under the provisions  
376 of this act to the State Board of Education, the following  
377 positions are authorized for the Mississippi School for the Blind  
378 and the Mississippi School for the Deaf:

379       AUTHORIZED POSITIONS:

380	Permanent:	Full Time.....	184
381		Part Time.....	29
382	Time-Limited:	Full Time.....	0
383		Part Time.....	0

384       None of the funds provided in this act to the State Board of  
385 Education shall be expended to hire any person on a contractual  
386 basis, for any period for any purpose, without the express prior  
387 approval of the State Personnel Director. The State Personnel  
388 Director shall consider, in approving such contracts, the  
389 availability of funds, the need for services, compliance with the  
390 State Compensation Plan and the qualifications of the persons

391 offering to perform the services. The State Fiscal Officer shall  
392 not pay any warrant that is in violation of this section.

393 **SECTION 30.** With the funds provided in this act to the State  
394 Board of Education, it is the intention of the Legislature that  
395 the academic teachers at the Mississippi School for the Deaf and  
396 the Mississippi School for the Blind shall receive their annual  
397 increment.

398 **SECTION 31.** It is the intention of the Legislature that the  
399 State Department of Education is authorized to escalate or  
400 reescalate for Time-Limited positions where federal or special  
401 fund grants are available to fund such positions.

402 **SECTION 32.** It is the intention of the Legislature that no  
403 State General Funds authorized to be expended in this act shall be  
404 used to replace federal funds and/or other special funds which are  
405 being used for salaries authorized under the provisions of this  
406 act and which are withdrawn and no longer available.

407 With respect to agency programs whose operation is dependent  
408 on the receipt of federal funds, it is the intent of the  
409 Legislature, except as hereinafter provided, that no funds from  
410 the State General Fund be expended to administer, support or in  
411 any way continue such programs should federal funds for their  
412 operation be reduced or become unavailable and that no funds from  
413 the State General Fund available for expenditure under this act  
414 shall be used to replace federal funds in any major object of  
415 expenditure.

416 For the fiscal year beginning on July 1, 2006, funds are  
417 provided herein to adjust the annual compensation of each employee  
418 who has been employed for twelve (12) months or longer by an  
419 amount equal to One Thousand Dollars (\$1,000.00), effective on  
420 July 1, 2006.

421 With the funds herein appropriated to the State Board of  
422 Education, it is the intention of the Legislature that it shall be  
423 the agency's responsibility to make certain that funds required to

424 be appropriated for "Personal Services" for Fiscal Year 2008 do  
425 not exceed Fiscal Year 2007 funds appropriated for that purpose,  
426 unless programs or positions are added to the agency's Fiscal Year  
427 2008 budget by the Mississippi Legislature. Based on data  
428 provided by the Legislative Budget Office, the State Personnel  
429 Board shall determine and publish the projected annual cost to  
430 fully fund all appropriated positions in compliance with the  
431 provisions of this act. It shall be the responsibility of the  
432 agency head to insure that no single personnel action increases  
433 this projected annual cost and/or the Fiscal Year 2007  
434 appropriation for "Personal Services" when annualized, with the  
435 exception of escalated funds. If, at the time the agency takes  
436 any action to change "Personal Services," the State Personnel  
437 Board determines that the agency has taken an action which would  
438 cause the agency to exceed this projected annual cost or the  
439 Fiscal Year 2007 "Personal Services" appropriated level, when  
440 annualized, then only those actions which reduce the projected  
441 annual cost and/or the appropriation requirement will be processed  
442 by the State Personnel Board until such time as the requirements  
443 of this provision are met.

444 Any transfers or escalations shall be made in accordance with  
445 the terms, conditions and procedures established by law or  
446 allowable under the terms set forth within this act. The State  
447 Personnel Board shall not escalate positions without written  
448 approval from the Department of Finance and Administration.

449 **SECTION 33.** It is the intention of the Legislature that the  
450 State Board of Education shall maintain complete accounting and  
451 personnel records related to the expenditure of all funds  
452 appropriated under the provisions of this act and that such  
453 records shall be in the same format and level of details as  
454 maintained for Fiscal Year 2006. It is further the intention of  
455 the Legislature that the budget requests for Fiscal Year 2008  
456 shall be submitted to the Joint Legislative Budget Committee in a

457 format and level of detail comparable to the format and level of  
458 detail provided during the Fiscal Year 2007 budget request process  
459 for each agency and institution appropriated funds within the  
460 provisions of this act.

461       **SECTION 34.** Of the funds appropriated in Section 1 to the  
462 State Board of Education, not less than Twenty-two Million Three  
463 Hundred Ninety-seven Thousand Forty-eight Dollars (\$22,397,048.00)  
464 shall be used for National Board Certification.

465       **SECTION 35.** Of the funds appropriated in Section 1 to the  
466 State Board of Education, not less than Nine Million Fifty  
467 Thousand One Hundred Twenty Dollars (\$9,050,120.00) shall be used  
468 for the Educable Child Program.

469       **SECTION 36.** It is the intention of the Legislature that at  
470 least Twenty-one Million Dollars (\$21,000,000.00) be expended for  
471 textbooks as defined in Section 37-43-1, Mississippi Code of 1972.  
472 The State Department of Education shall report to the Legislature  
473 the amount of expenditures for each school district no later than  
474 October 31, 2007.

475       **SECTION 37.** The public school districts of the state are  
476 authorized at their discretion to pay with local funds one hundred  
477 percent (100%) of the cost of the health insurance premiums of the  
478 State and School Employees Health Insurance Plan for all retired  
479 members of the Public Employees' Retirement System who are  
480 employed as school bus drivers by the school districts. It is the  
481 intention of the Legislature that no state funds shall be used for  
482 this purpose.

483       **SECTION 38.** Of the funds appropriated for Fiscal Year 2007  
484 for the Educable Child Program, the Mississippi Department of  
485 Education is authorized to pay the remaining balance up to Two  
486 Million One Hundred Sixty-five Thousand Dollars (\$2,165,000.00)  
487 for fiscal year 2006 claims.

488           **SECTION 39.** Of the funds appropriated for Orthopedic and  
489 Aphasic, One Hundred Sixty Thousand Dollars (\$160,000.00) shall be  
490 for the Dubard School at the University of Southern Mississippi.

491           **SECTION 40.** It is the intention of the Legislature that  
492 whenever two (2) or more bids are received by this agency for the  
493 purchase of commodities or equipment, and whenever all things  
494 stated in such received bids are equal with respect to price,  
495 quality and service, the Mississippi Industries for the Blind  
496 shall be given preference. A similar preference shall be given to  
497 the Mississippi Industries for the Blind whenever purchases are  
498 made without competitive bids.

499           **SECTION 41.** The money herein appropriated shall be paid by  
500 the State Treasurer out of any money in the proper fund or funds  
501 as set forth in this act, upon warrants issued by the State Fiscal  
502 Officer; and the State Fiscal Officer shall issue his warrants  
503 upon requisitions signed by the proper person, officer or officers  
504 in the manner provided by law.

505           **SECTION 42.** This act shall take effect and be in force from  
506 and after July 1, 2006.