

**REPORT OF CONFERENCE COMMITTEE**

**# 2**

**MR. SPEAKER AND MADAM PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1559: Appropriation; State Department of Education - General Programs, Education Reform Act and Vocational Education.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

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

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..... \$       88,220,943.00.

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 ..... \$       70,112,006.00.

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 ..... \$ 1,807,240,634.00.

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..... \$ 11,782,696.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED  
33 BY THIS SECTION BEING..... \$ 1,988,433,105.00.

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..... \$ 671,576,870.00.

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 ..... \$ 23,927,180.00.

48 (c) To the State Board of Education for the purpose of  
49 defraying the expenses of the Mississippi Adequate Education  
50 Program..... \$ 251,625,653.00.

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..... \$ 761,504.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED  
55 BY THIS SECTION BEING..... \$ 947,891,207.00.

56 **SECTION 3.** Of the funds appropriated under the provisions of  
57 Section 2 to the State Board of Education, One Hundred

58 Seventy-Four Thousand One Hundred Ninety-six Dollars  
 59 (\$174,196.00), or so much thereof as may be necessary, is  
 60 appropriated out of any money in the State Treasury to the credit  
 61 of the Health Care Expendable Fund to the State Department of  
 62 Education for the purpose of defraying the expenses of the  
 63 department for the Mississippi Eye Screening Program for providing  
 64 vision safety services.

65 **SECTION 4.** Of the funds appropriated under the provisions of  
 66 Section 2 to the State Board of Education, the following sums, or  
 67 so much thereof as may be necessary, are derived out of any money  
 68 in the State Treasury to the credit of the Education Enhancement  
 69 Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code  
 70 of 1972, as follows:

71 (a) To the State Department of Education, and excluding  
 72 the expenses of the Vocational and Technical Education Division,  
 73 for the following purposes:

74	Grants to school districts for capital	
75	facilities and buses.....	\$ 16,000,000.00.
76	Instructional materials.....	\$ 6,194,875.00.
77	Tech prep bond service.....	\$ 3,212,725.00.
78	Implementing Performance Based Data	
79	Collection and Accreditation	
80	Model.....	\$ 274,937.00.
81	World Class Teacher Program.....	\$ 125,000.00.
82	Testing.....	\$ 226,413.00.
83	Education Technology Council.....	\$ 94,082.00.
84	TOTAL.....	\$ 26,128,032.00.

85 (b) To the State Department of Education to defray the  
 86 expenses of the Vocational and Technical Education Division.....  
 87 ..... \$ 7,863,746.00.

88 (c) To the State Department of Education to provide  
 89 funding for the Mississippi Adequate Education Program.....

90 ..... \$181,625,653.00.

91 **SECTION 5.** Of the funds appropriated under the provisions of  
92 this act to the State Board of Education, not more than the  
93 amounts set forth below shall be expended for the respective major  
94 objects or purposes of expenditure for the State Department of  
95 Education, and excluding the expenses of the Vocational and  
96 Technical Education Division:

97 MAJOR OBJECTS OF EXPENDITURE:

98 Personal Services:

99	Salaries, Wages and Fringe Benefits.. \$	27,918,758.00
100	Travel and Subsistence.....	2,575,761.00
101	Contractual Services.....	37,997,752.00
102	Commodities.....	7,254,199.00
103	Capital Outlay:	
104	Other Than Equipment.....	1,419,500.00
105	Equipment.....	2,629,709.00
106	Subsidies, Loans and Grants.....	<u>680,002,134.00</u>
107	Total..... \$	759,797,813.00

108 FUNDING:

109	General Funds..... \$	88,220,943.00
110	Special Funds.....	<u>671,576,870.00</u>
111	Total..... \$	759,797,813.00

112 AUTHORIZED POSITIONS:

113	Permanent: Full Time.....	454
114	Part Time.....	3
115	Time-Limited: Full Time.....	69
116	Part Time .....	0

117 **SECTION 6.** It is the intention of the Legislature that the  
118 State Superintendent for the Department of Education, and  
119 excluding the expenses of the Vocational and Technical Education  
120 Division may increase major objects of expenditure in total  
121 amounts not to exceed twenty-five percent (25%) of the

122 appropriated amount of each major object of expenditure, provided  
 123 that other major objects of expenditure are decreased by a  
 124 corresponding dollar amount and provided the Executive Director of  
 125 the Mississippi Department of Finance and Administration also  
 126 approves with written authorization. However, no transfers shall  
 127 be authorized which increase the major object of expenditure  
 128 "Salaries, Wages and Fringe Benefits."

129       **SECTION 7.** In compliance with the "Mississippi Performance  
 130 Budget and Strategic Planning Act of 1994," it is the intent of  
 131 the Legislature that the funds provided herein shall be utilized  
 132 in the most efficient and effective manner possible to achieve the  
 133 intended mission of the State Department of Education, and  
 134 excluding the expenses of the Vocational and Technical Education  
 135 Division. Based on the funding authorized, this agency shall make  
 136 every effort to attain the targeted performance measures provided  
 137 below:

	FY2007
<u>Performance Measures</u>	<u>Target</u>
140 Special Education	
141       Approved Funding for Children (\$ in millions)	87.89
142       Teacher Units Approved for Funding (Units)	4,672
143 Child Nutrition	
144       Number of Meals Required (Millions)	121
145       Cost per Meal (\$)	2.28
146 MS School For Math & Science	
147       Students Enrolled (Persons)	270
148       Cost per Student (\$)	15,717.00
149 Educational Accountability	
150       Performance Accreditation Visits (Visits)	30
151       Tests Administered (Persons)	738,491
152       Compliance & Performance Reviews (Actions)	25
153 Educ Training & Development	

154	Administrators Trained (Persons)	1,000
155	Administrators Trained (%)	35
156	Technical Assistance to School Districts (%)	92
157	Compensatory Education	
158	Title I Projects Awarded (Programs)	152
159	Average Expenditure per Child (\$)	612
160	Review & Approve Delinquent Prgs (Programs)	6
161	Community & Outreach Services	
162	Requested Available Federal Funding (%)	100
163	MS School Attendance Officers	
164	Resolutions to Referrals (%)	90
165	School Visits (Number of)	25,000
166	MS Teacher Center	
167	Teachers Recruited in Shortage Areas (Number)	1,800

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

172 **SECTION 8.** In compliance with the "Mississippi Performance  
173 Budget and Strategic Planning Act of 1994," it is the intent of  
174 the Legislature that the funds provided herein shall be utilized  
175 in the most efficient and effective manner possible to achieve the  
176 intended mission of the Mississippi Adequate Education Program.  
177 Based on the funding authorized, this agency shall make every  
178 effort to attain the targeted performance measures provided below:

179		FY2007
180	<u>Performance Measures</u>	<u>Target</u>
181	Basic Program	
182	Percentage of students scoring basic and	
183	above on the MS Curriculum Test in grades 2-8	
184	in reading, language and math (%)	93.7
185	Percentage of students achieving the passing	

186 score on the History Test (%) 96.6  
 187 Percentage of students achieving the passing  
 188 score on the Biology test (%) 94.8  
 189 Percentage of students achieving the passing  
 190 score on the Algebra test (%) 94.6  
 191 Provide 100% Funding of the Base Student Cost 100  
 192 A reporting of the degree to which the performance targets  
 193 set above have been or are being achieved shall be provided in the  
 194 agency's budget request submitted to the Joint Legislative Budget  
 195 Committee for Fiscal Year 2008.

196 **SECTION 9.** Of the funds appropriated in Section 2, Forty-six  
 197 Million Dollars (\$46,000,000.00) shall be derived from the School  
 198 Ad Valorem Reduction Fund.

199 No school district shall expend any funds, received under the  
 200 School Ad Valorem Reduction Grant, unless such school district has  
 201 specifically identified the amount of said grant within the  
 202 published budget as required by Section 37-61-9, Mississippi Code  
 203 of 1972. The published budget shall include the following  
 204 statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result  
 205 of the Ad Valorem Reduction Grants enacted by the Mississippi  
 206 Legislature in 1992."

207 **SECTION 10.** Of the funds appropriated in Section 2 to the  
 208 State Board of Education, Two Million One Hundred Thousand Dollars  
 209 (\$2,100,000.00) shall be derived from the Technology in Classroom  
 210 Fund 3203 for the purpose of defraying the expenses of the State  
 211 Department of Education, and excluding the expenses of the  
 212 Vocational and Technical Education Division.

213 **SECTION 11.** Of the funds appropriated under the provisions  
 214 of Section 2 to the State Board of Education, funds in the amount  
 215 of One Million Dollars (\$1,000,000.00) shall come from income  
 216 derived from the principal of the Education Improvement Trust Fund  
 217 created by Section 206A, Mississippi Constitution of 1890, and One

218 Million Dollars (\$1,000,000.00) shall be used for the School for  
 219 Math and Science.

220 **SECTION 12.** With the funds appropriated under the provisions  
 221 of this act to the State Board of Education, the following  
 222 positions are authorized for the Vocational and Technical  
 223 Education Division of the State Department of Education:

224 AUTHORIZED POSITIONS:

225	Permanent:	Full Time.....	59
226		Part Time.....	0
227	Time-Limited:	Full Time.....	3
228		Part Time.....	0

229 **SECTION 13.** In compliance with the "Mississippi Performance  
 230 Budget and Strategic Planning Act of 1994," it is the intent of  
 231 the Legislature that the funds provided herein shall be utilized  
 232 in the most efficient and effective manner possible to achieve the  
 233 intended mission of the Vocational and Technical Education  
 234 Division of the State Department of Education. Based on the  
 235 funding authorized, this agency shall make every effort to attain  
 236 the targeted performance measures provided below:

237		FY2007
238	<u>Performance Measures</u>	<u>Target</u>
239	Secondary Programs	
240	Increase in Students Served (%)	1.00
241	LEAs Served (Sites)	144
242	Post-secondary Programs	
243	Short-Term Students Served (Persons)	2,800
244	Short-Term Adult Program Classes (Classes)	225
245	Short-Term Cost per Student (\$)	45.00

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



250           **SECTION 14.** Of the funds appropriated under the provisions  
251 of this act to the State Board of Education, an amount not to  
252 exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four  
253 Dollars (\$229,684.00) is authorized for the support of vocational  
254 and technical education programs as authorized in Section  
255 37-31-13, Mississippi Code of 1972, for a period in excess of ten  
256 (10) months in a calendar year.

257           **SECTION 15.** It is the intention of the Legislature that the  
258 Vocational and Technical Education Division of the State  
259 Department of Education shall, with the funds appropriated in  
260 Section 1 to the State Board of Education, transfer no more than  
261 One Hundred Thousand Dollars (\$100,000.00) to the Mississippi Soil  
262 and Water Conservation Commission for the purpose of providing  
263 matching funds to purchase soil conservation equipment.

264           **SECTION 16.** Of the funds appropriated in this act to the  
265 State Board of Education, no more than One Hundred Thousand  
266 Dollars (\$100,000.00) is provided for the purpose of supporting  
267 the Future Farmers of America Center.

268           **SECTION 17.** Of the funds provided in Section 1 to the State  
269 Board of Education for the purpose of providing financial  
270 assistance for the education of exceptional children as determined  
271 under Section 37-23-63, Mississippi Code of 1972, children who are  
272 certified by the designated authority as requiring inpatient care  
273 in a private intermediate care facility for the mentally retarded  
274 or psychiatric residential treatment facility, with Medicaid  
275 reimbursement, shall be eligible and entitled to receive state  
276 financial assistance under the provisions of Section 37-23-69, in  
277 an amount not to exceed Five Thousand Dollars (\$5,000.00) from  
278 state funds, per child per school year, if an approved private  
279 school is operated as an integral part of the facility which  
280 provides twenty-four (24) hours a day monitoring, treatment and  
281 education, except that the State Department of Education is

282 authorized to pilot a fee-for-service based cost system for  
283 children served through Millcreek Schools, Inc.

284         **SECTION 18.** Of the funds provided in Section 1 to the State  
285 Board of Education, Two Hundred Twenty-four Thousand Four Hundred  
286 Ninety-five Dollars (\$224,495.00) shall be used to provide for a  
287 Director of School Nurses in the State Department of Education and  
288 the implementation of three (3) pilot projects for a variety of  
289 school health programs in an elementary school setting.  
290 Evaluations shall be developed to determine the program's effect  
291 to drop-out rates, suspensions, expulsions, attendance and test  
292 scores.

293         Income generated by the school-based clinics shall remain  
294 available for expenditure by the programs utilizing any special  
295 fund authority provided in Section 2 for use by the State  
296 Department of Education and the pilots shall remain the same as in  
297 Fiscal Year 2006.

298         **SECTION 19.** It is the intention of the Legislature that the  
299 State Department of Education shall have the authority to accept,  
300 budget and expend any source funds not to exceed Thirty Million  
301 Dollars (\$30,000,000.00), that become available to the department  
302 to carry out the provisions of those funds in a manner consistent  
303 with the rules and regulations of the Department of Finance and  
304 Administration.

305         **SECTION 20.** The State Department of Education shall transfer  
306 the designated amounts to the appropriate entities, which shall  
307 assume full responsibility for the expenditure of these funds in  
308 accordance with state laws and accept all responsibility for any  
309 improper expenditure. For the following: World Class Teacher  
310 Programs, USM Special Education Program, Soil and Water  
311 Conservation Commission, Mississippi School Boards Association,  
312 Mississippi Eye Screening Program-Vision Research Corporation and  
313 Very Special Arts, Arts Institute, Jobs for Mississippi Graduates,

314 and Mississippi Symphony, University of Southern Mississippi Safe  
315 Schools Program, Mississippi State University Center for Education  
316 Design, Writing and Thinking Institute and Greater Columbus Early  
317 Learning Center.

318       **SECTION 21.** Of the funds appropriated in Section 1 to the  
319 State Board of Education, the amounts of Two Hundred Thirty-five  
320 Thousand Dollars (\$235,000.00) is provided for the Writing and  
321 Thinking Institute and Seventy Thousand Dollars (\$70,000.00) is  
322 provided for the Very Special Arts Program.

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 under Section 1 to the  
330 State Board of Education, the sum of Sixty-two Thousand One  
331 Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate  
332 sum that the school districts in the Chickasaw Cession receive  
333 annually from interest payments from the Chickasaw School Fund  
334 under Section 212, Mississippi Constitution of 1890, shall be  
335 deducted from the allocations to the school districts as provided  
336 in Section 29-3-137, Mississippi Code of 1972, and shall be  
337 distributed among the school districts in the Chickasaw Cession by  
338 the State Department of Education in the manner that such interest  
339 payments were distributed during Fiscal Year 1985.

340       **SECTION 24.** Of the funds provided in this act to the State  
341 Board of Education for the purpose of funding the Mississippi  
342 Adequate Education Program as determined under Section 37-151-7,  
343 Mississippi Code of 1972, the base student cost in Fiscal Year  
344 2007 shall be Four Thousand Three Hundred Sixty-seven Dollars  
345 (\$4,367.00).

346           **SECTION 25.** Of the funds appropriated in this act to the  
347 State Board of Education, an amount not more than Fifty Million  
348 Dollars (\$50,000,000.00) shall be derived from the Interim School  
349 District Capital Expenditure Fund for the benefit of the school  
350 districts as authorized in Mississippi Code Annotated, Section  
351 37-151-7 (5).

352           **SECTION 26.** Of the funds appropriated in this act to the  
353 State Board of Education, it is the intention of the Legislature  
354 that Twenty Million Dollars (\$20,000,000.00) from the Public  
355 School Building Fund shall be used for the Mississippi Adequate  
356 Education Program.

357           **SECTION 27.** With the funds appropriated under the provisions  
358 of this act to the State Board of Education, the following  
359 positions are authorized for the Mississippi School for the Blind  
360 and the Mississippi School for the Deaf:

361       AUTHORIZED POSITIONS:

362	Permanent:	Full Time.....	194
363		Part Time.....	30
364	Time-Limited:	Full Time.....	1
365		Part Time.....	0

366       None of the funds provided in this act to the State Board of  
367 Education shall be expended to hire any person on a contractual  
368 basis, for any period for any purpose, without the express prior  
369 approval of the State Personnel Director. The State Personnel  
370 Director shall consider, in approving such contracts, the  
371 availability of funds, the need for services, compliance with the  
372 State Compensation Plan and the qualifications of the persons  
373 offering to perform the services. The State Fiscal Officer shall  
374 not pay any warrant that is in violation of this section.

375           **SECTION 28.** With the funds provided in this act to the State  
376 Board of Education, it is the intention of the Legislature that  
377 the academic teachers at the Mississippi School for the Deaf and

378 the Mississippi School for the Blind shall receive their annual  
379 increment.

380         **SECTION 29.** It is the intention of the Legislature that no  
381 State General Funds authorized to be expended in this act shall be  
382 used to replace federal funds and/or other special funds which are  
383 being used for salaries authorized under the provisions of this  
384 act and which are withdrawn and no longer available.

385         With respect to agency programs whose operation is dependent  
386 on the receipt of federal funds, it is the intent of the  
387 Legislature, except as hereinafter provided, that no funds from  
388 the State General Fund be expended to administer, support or in  
389 any way continue such programs should federal funds for their  
390 operation be reduced or become unavailable and that no funds from  
391 the State General Fund available for expenditure under this act  
392 shall be used to replace federal funds in any major object of  
393 expenditure.

394         Funds are provided herein to adjust the Variable Compensation  
395 Plan to ensure that all full-time employees receive a pay increase  
396 equal to the realignment component of the Variable Compensation  
397 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
398 with not more than one-half (1/2) to be awarded on July 1, 2006,  
399 with the remainder to be awarded on January 1, 2007.

400         With the funds herein appropriated to the State Board of  
401 Education, it is the intention of the Legislature that it shall be  
402 the agency's responsibility to make certain that funds required to  
403 be appropriated for "Personal Services" for Fiscal Year 2008 do  
404 not exceed Fiscal Year 2007 funds appropriated for that purpose,  
405 unless programs or positions are added to the agency's Fiscal Year  
406 2008 budget by the Mississippi Legislature. Based on data  
407 provided by the Legislative Budget Office, the State Personnel  
408 Board shall determine and publish the projected annual cost to  
409 fully fund all appropriated positions in compliance with the

410 provisions of this act. It shall be the responsibility of the  
411 agency head to insure that no single personnel action increases  
412 this projected annual cost and/or the Fiscal Year 2007  
413 appropriation for "Personal Services" when annualized, with the  
414 exception of escalated funds. If, at the time the agency takes  
415 any action to change "Personal Services," the State Personnel  
416 Board determines that the agency has taken an action which would  
417 cause the agency to exceed this projected annual cost or the  
418 Fiscal Year 2007 "Personal Services" appropriated level, when  
419 annualized, then only those actions which reduce the projected  
420 annual cost and/or the appropriation requirement will be processed  
421 by the State Personnel Board until such time as the requirements  
422 of this provision are met.

423 Any transfers or escalations shall be made in accordance with  
424 the terms, conditions and procedures established by law or  
425 allowable under the terms set forth within this act. The State  
426 Personnel Board shall not escalate positions without written  
427 approval from the Department of Finance and Administration. The  
428 Department of Finance and Administration shall not provide written  
429 approval to escalate any funds for salaries and/or positions  
430 without proof of availability of new or additional funds above the  
431 appropriated level.

432 **SECTION 30.** It is the intention of the Legislature that the  
433 State Board of Education shall maintain complete accounting and  
434 personnel records related to the expenditure of all funds  
435 appropriated under the provisions of this act and that such  
436 records shall be in the same format and level of details as  
437 maintained for Fiscal Year 2006. It is further the intention of  
438 the Legislature that the budget requests for Fiscal Year 2008  
439 shall be submitted to the Joint Legislative Budget Committee in a  
440 format and level of detail comparable to the format and level of  
441 detail provided during the Fiscal Year 2007 budget request process

442 for each agency and institution appropriated funds within the  
443 provisions of this act.

444       **SECTION 31.** Of the funds appropriated in Section 1 to the  
445 State Board of Education, not less than Twenty-four Million Eight  
446 Hundred Ninety-seven Thousand Forty-eight Dollars (\$24,897,048.00)  
447 shall be used for National Board Certification.

448       **SECTION 32.** Of the funds appropriated in Section 1 to the  
449 State Board of Education, not less than Eleven Million Sixty-five  
450 Thousand Dollars (\$11,065,000.00) shall be used for the Educable  
451 Child Program.

452       **SECTION 33.** It is the intention of the Legislature that at  
453 least Twenty-one Million Dollars (\$21,000,000.00) be expended for  
454 textbooks as defined in Section 37-43-1, Mississippi Code of 1972.  
455 The State Department of Education shall report to the Legislature  
456 the amount of expenditures for each school district no later than  
457 October 31, 2007.

458       **SECTION 34.** The public school districts of the state are  
459 authorized at their discretion to pay with local funds one hundred  
460 percent (100%) of the cost of the health insurance premiums of the  
461 State and School Employees Health Insurance Plan for all retired  
462 members of the Public Employees' Retirement System who are  
463 employed as school bus drivers by the school districts. It is the  
464 intention of the Legislature that no state funds shall be used for  
465 this purpose.

466       **SECTION 35.** Of the funds appropriated for Fiscal Year 2007  
467 for the Educable Child Program, the Mississippi Department of  
468 Education is authorized to pay the remaining balance up to One  
469 Million Six Hundred Sixty-five Thousand Dollars (\$1,665,000.00)  
470 for fiscal year 2006 claims.

471       **SECTION 36.** Of the funds appropriated for Orthopedic and  
472 Aphasic, Two Hundred Thousand Dollars (\$200,000.00) shall be for  
473 the Dubard School at the University of Southern Mississippi.

474           **SECTION 37.** It is the intention of the Legislature that  
475 whenever two (2) or more bids are received by this agency for the  
476 purchase of commodities or equipment, and whenever all things  
477 stated in such received bids are equal with respect to price,  
478 quality and service, the Mississippi Industries for the Blind  
479 shall be given preference. A similar preference shall be given to  
480 the Mississippi Industries for the Blind whenever purchases are  
481 made without competitive bids.

482           **SECTION 38.** It is the intention of the Legislature that in  
483 any year that the Mississippi Adequate Education Program is not  
484 fully funded, the State Department of Education shall prorate the  
485 underfunded amount to local school districts for that year.

486           **SECTION 39.** Of the funds appropriated in Section 1 to the  
487 State Board of Education, not less than Six Million Five Hundred  
488 Fifty-five Thousand One Hundred Fifty-three (\$6,555,153.00) shall  
489 be used for the Compulsory School Attendance Office and School  
490 Attendance Officers.

491           **SECTION 40.** Of the funds appropriated in the act for the  
492 Mississippi Adequate Education Program, funds up to Three Million  
493 Three Hundred Ninety-nine Thousand Nine Hundred Ninety-nine  
494 (\$3,399,999.00) are provided to be set aside as a mechanism to  
495 hold harmless those local districts that lose funding in the  
496 phase-in implementation period.

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



502 in the manner provided by law.

503           **SECTION 42.** This act shall take effect and be in force from

504 and after July 1, 2006.

CONFEREES FOR THE HOUSE

X (SIGNED)  
Stringer

X (SIGNED)  
Brown

X (SIGNED)  
Broomfield

CONFEREES FOR THE SENATE

X (SIGNED)  
Gordon

X (SIGNED)  
Chaney

X (SIGNED)  
Burton