

**Adopted**  
**AMENDMENT NO 2 TO COMMITTEE AMENDMENT NO 1 PROPOSED**  
**TO**

**Senate Bill No. 2604**

**BY: Representative Brown**

1       **AMEND** on line 191 by deleting the word "The" and inserting in  
2    lieu thereof the words and figures "Effective with fiscal year  
3    2011, the"

4       **AMEND FURTHER** on line 210 by changing "2009" to "2010"

5       **AMEND FURTHER** on lines 221 and 222 by deleting the words and  
6    figures "For fiscal year 2006" and inserting in lieu thereof the  
7    words and figures "Effective with fiscal year 2011"

8       **AMEND FURTHER** on line 308 by changing "2299" to "2129"

9       **AMEND FURTHER** by inserting the following new section after  
10   line 181 and renumbering the succeeding sections:

11       "SECTION     ". (1) If sufficient funds are not available to  
12   fully fund the Mississippi Adequate Education Program (MAEP) for  
13   any of the fiscal years 2007, 2008 or 2009, the Legislature shall  
14   provide not less than the following amounts to fund the MAEP for  
15   those fiscal years: For fiscal year 2007, the amount shall be not  
16   less than \$1,973,040,112.00; for fiscal year 2008, the amount  
17   shall be not less than \$2,037,226,584.00; and for fiscal year  
18   2009, the amount shall be not less than \$2,101,413,056.00. For  
19   fiscal year 2010, the Legislature shall provide not less than

20 \$2,165,599,528.00 to fund the MAEP. The minimum amounts required  
21 by this section for the MAEP do not include the costs associated  
22 with other state mandated costs such as, but not limited to,  
23 teacher pay raises, increased costs of insurance and increased  
24 costs of employer contributions to the Public Employees'  
25 Retirement System, and any such associated costs increases shall  
26 be funded separately and in addition to the minimum amounts  
27 required by this section.

28 (2) If sufficient funds are not available to fully fund the  
29 MAEP for any of the fiscal years 2007, 2008 or 2009, the funds  
30 required to be provided to school districts under this section  
31 shall be allocated and prorated using average daily attendance  
32 (ADA) for months one (1) through nine (9) of the second preceding  
33 year or months two (2) and three (3) of the preceding year,  
34 whichever is greater, for fiscal year 2007, 2008 or 2009, as the  
35 case may be. For fiscal year 2010, allocation of funds shall be  
36 based on months two (2) and three (3) ADA.

37 (3) If sufficient funds are not available to fully fund the  
38 MAEP for any of the fiscal years 2007, 2008 or 2009, school  
39 districts experiencing at least three (3) consecutive years of  
40 growth in ADA shall receive an additional allocation of funds to  
41 fund that growth as follows: For fiscal year 2007, twenty-five  
42 percent (25%); for fiscal year 2008, fifty percent (50%); and for  
43 fiscal year 2009, seventy-five percent (75%). For fiscal year  
44 2010, that growth shall be funded at one hundred percent (100%).  
45 The State Department of Education shall determine the percentage  
46 change from the prior year of each year of each school district's  
47 average of months two (2) and three (3) ADA for the three (3)  
48 immediately preceding school years of the year for which funds are  
49 being appropriated. For any school district that experiences a  
50 positive growth in the average of months two (2) and three (3) ADA  
51 each year of the three (3) years, the average percentage growth

52 over the three-year period shall be multiplied times the school  
53 district's average of months two (2) and three (3) ADA for the  
54 year immediately preceding the year for which MAEP funds are being  
55 appropriated. For fiscal year 2007, twenty-five percent (25%);  
56 for fiscal year 2008, fifty percent (50%); for fiscal year 2009,  
57 seventy-five percent (75%); and for fiscal year 2010, one hundred  
58 percent (100%) of the resulting amount shall be added to the  
59 school district's average of months two (2) and three (3) ADA for  
60 the year immediately preceding the year for which MAEP funds are  
61 being appropriated to arrive at the ADA to be used in determining  
62 a school district's MAEP allocation. The district's ADA shall be  
63 computed and currently maintained in accordance with regulations  
64 promulgated by the State Board of Education."

65 **AMEND FURTHER** the title by inserting the following after the  
66 semicolon on line 21: "TO PROVIDE THAT IF SUFFICIENT FUNDS ARE NOT  
67 AVAILABLE TO FULLY FUND THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM  
68 FOR ANY OF THE FISCAL YEARS 2007, 2008 OR 2009, THE LEGISLATURE  
69 SHALL PROVIDE SPECIFIED MINIMUM AMOUNTS TO FUND THE MAEP FOR THOSE  
70 FISCAL YEARS;"