

Senate Amendments to House Bill No. 1559

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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..... \$ 73,844,093.00.

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 \$ 67,966,086.00.

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 \$ 1,786,609,645.00.

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..... \$ 10,147,259.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED
33 BY THIS SECTION BEING..... \$ 1,949,643,909.00.

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..... \$ 671,634,410.00.

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 \$ 23,928,757.00.

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..... \$ 761,971.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED
55 BY THIS SECTION BEING..... \$ 910,995,309.00.

56 **SECTION 3.** Of the funds appropriated under the provisions of
57 Section 2 to the State Board of Education, One Hundred Seventy-
58 Four Thousand One Hundred Ninety-six Dollars (\$174,196.00), or so
59 much thereof as may be necessary, is appropriated out of any money
60 in the State Treasury to the credit of the Health Care Expendable
61 Fund to the State Department of Education for the purpose of
62 defraying the expenses of the department for the Mississippi Eye
63 Screening Program for providing vision safety services.

64 **SECTION 4.** Of the funds appropriated under the provisions of
65 Section 2 to the State Board of Education, the following sums, or
66 so much thereof as may be necessary, are derived out of any money

67 in the State Treasury to the credit of the Education Enhancement
68 Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code
69 of 1972, as follows:

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

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

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

87 (c) To the State Department of Education to provide
88 funding for the Mississippi Adequate Education Program.....
89 \$144,670,171.00.

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

96 MAJOR OBJECTS OF EXPENDITURE:

97 Personal Services:

98 Salaries, Wages and Fringe Benefits.. \$ 25,216,857.00
99 Travel and Subsistence..... 1,356,249.00
100 Contractual Services..... 33,948,457.00
101 Commodities..... 7,024,993.00

| | | | |
|-----|----------------------------------|----|-----------------------|
| 102 | Capital Outlay: | | |
| 103 | Other Than Equipment..... | | 1,255,000.00 |
| 104 | Equipment..... | | 2,025,000.00 |
| 105 | Subsidies, Loans and Grants..... | | <u>674,651,947.00</u> |
| 106 | Total..... | \$ | 745,478,503.00 |

| | | | |
|-----|--------------------|----|-----------------------|
| 107 | FUNDING: | | |
| 108 | General Funds..... | \$ | 73,844,093.00 |
| 109 | Special Funds..... | | <u>671,634,410.00</u> |
| 110 | Total..... | \$ | 745,478,503.00 |

| | | | |
|-----|------------------------------|--|-----|
| 111 | AUTHORIZED POSITIONS: | | |
| 112 | Permanent: Full Time..... | | 420 |
| 113 | Part Time..... | | 3 |
| 114 | Time-Limited: Full Time..... | | 66 |
| 115 | Part Time..... | | 0 |

116 **SECTION 6.** It is the intention of the Legislature that the
117 State Superintendent for the Department of Education, and
118 excluding the expenses of the Vocational and Technical Education
119 Division may increase major objects of expenditure in total
120 amounts not to exceed twenty-five percent (25%) of the
121 appropriated amount of each major object of expenditure, provided
122 that other major objects of expenditure are decreased by a
123 corresponding dollar amount and provided the Executive Director of
124 the Mississippi Department of Finance and Administration also
125 approves with written authorization. However, no transfers shall
126 be authorized which increase the major object of expenditure
127 "Salaries, Wages and Fringe Benefits."

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

| | | |
|-----|--|---------------|
| 137 | | FY2007 |
| 138 | <u>Performance Measures</u> | <u>Target</u> |
| 139 | Special Education | |
| 140 | Approved Funding for Children (\$ in millions) | 87.89 |
| 141 | Teacher Units Approved for Funding (Units) | 4,672 |
| 142 | Child Nutrition | |
| 143 | Number of Meals Required (Millions) | 122 |
| 144 | Cost per Meal (\$) | 2.28 |
| 145 | MS School For Math & Science | |
| 146 | Students Enrolled (Persons) | 270 |
| 147 | Cost per Student (\$) | 15,717.00 |
| 148 | Educational Accountability | |
| 149 | Performance Accreditation Visits (Visits) | 30 |
| 150 | Tests Administered (Persons) | 738,491 |
| 151 | Compliance & Performance Reviews (Actions) | 25 |
| 152 | Educ Training & Development | |
| 153 | Administrators Trained (Persons) | 1,000 |
| 154 | Administrators Trained (%) | 35 |
| 155 | Technical Assistance to School Districts (%) | 92 |
| 156 | Compensatory Education | |
| 157 | Title I Projects Awarded (Programs) | 152 |
| 158 | Average Expenditure per Child (\$) | 612 |
| 159 | Review & Approve Delinquent Prgs (Programs) | 6 |
| 160 | Community & Outreach Services | |
| 161 | Requested Available Federal Funding (%) | 100 |
| 162 | MS School Attendance Officers | |
| 163 | Resolutions to Referrals (%) | 90 |
| 164 | School Visits (Number of) | 25,000 |
| 165 | MS Teacher Center | |
| 166 | Teachers Recruited in Shortage Areas (Number) | 1,800 |
| 167 | A reporting of the degree to which the performance targets | |
| 168 | set above have been or are being achieved shall be provided in the | |
| 169 | agency's budget request submitted to the Joint Legislative Budget | |
| 170 | Committee for Fiscal Year 2008. | |

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

| | | |
|-----|---|---------------|
| 178 | | FY2007 |
| 179 | <u>Performance Measures</u> | <u>Target</u> |
| 180 | Basic Program | |
| 181 | Percentage of students scoring basic and | |
| 182 | above on the MS Curriculum Test in grades 2-8 | |
| 183 | in reading, language and math (%) | 93.7 |
| 184 | Percentage of students achieving the passing | |
| 185 | score on the History Test (%) | 96.6 |
| 186 | Percentage of students achieving the passing | |
| 187 | score on the Biology test (%) | 94.8 |
| 188 | Percentage of students achieving the passing | |
| 189 | score on the Algebra test (%) | 94.6 |
| 190 | Provide 100% Funding of the Base Student Cost | 100 |

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

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

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

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

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

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

223 AUTHORIZED POSITIONS:

| | | | |
|-----|---------------|----------------|----|
| 224 | Permanent: | Full Time..... | 50 |
| 225 | | Part Time..... | 0 |
| 226 | Time-Limited: | Full Time..... | 3 |
| 227 | | Part Time..... | 0 |

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

| | | |
|-----|---------------------------------|---------------|
| 236 | | FY2007 |
| 237 | <u>Performance Measures</u> | <u>Target</u> |
| 238 | Secondary Programs | |
| 239 | Increase in Students Served (%) | 1.00 |
| 240 | LEAs Served (Sites) | 144 |

| | | |
|-----|--|-------|
| 241 | Post-secondary Programs | |
| 242 | Short-Term Students Served (Persons) | 2,800 |
| 243 | Short-Term Adult Program Classes (Classes) | 225 |
| 244 | Short-Term Cost per Student (\$) | 45.00 |

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

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

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

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

267 **SECTION 17.** Of the funds provided in Section 1 to the State
268 Board of Education for the purpose of providing financial
269 assistance for the education of exceptional children as determined
270 under Section 37-23-63, Mississippi Code of 1972, children who are
271 certified by the designated authority as requiring inpatient care
272 in a private intermediate care facility for the mentally retarded
273 or psychiatric residential treatment facility, with Medicaid
274 reimbursement, shall be eligible and entitled to receive state
275 financial assistance under the provisions of Section 37-23-69, in

276 an amount not to exceed Five Thousand Dollars (\$5,000.00) from
277 state funds, per child per school year, if an approved private
278 school is operated as an integral part of the facility which
279 provides twenty-four (24) hours a day monitoring, treatment and
280 education, except that the State Department of Education is
281 authorized to pilot a fee-for-service based cost system for
282 children served through Millcreek Schools, Inc.

283 **SECTION 18.** Of the funds provided in Section 1 to the State
284 Board of Education, Two Hundred Twenty-two Thousand Six Hundred
285 Ninety-five Dollars (\$222,695.00) shall be used to provide for a
286 Director of School Nurses in the State Department of Education and
287 the implementation of three (3) pilot projects for a variety of
288 school health programs in an elementary school setting.
289 Evaluations shall be developed to determine the program's effect
290 to drop-out rates, suspensions, expulsions, attendance and test
291 scores.

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

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

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

311 Mississippi Eye Screening Program-Vision Research Corporation and
312 Very Special Arts, Arts Institute, Jobs for Mississippi Graduates,
313 and Mississippi Symphony, University of Southern Mississippi Safe
314 Schools Program, Mississippi State University Center for Education
315 Design, Writing and Thinking Institute and Greater Columbus Early
316 Learning Center.

317 **SECTION 21.** Of the funds appropriated under the provisions
318 of this act to the State Board of Education, the amount of Two
319 Hundred Forty-one Thousand Five Hundred Sixty-eight Dollars
320 (\$241,568.00) is provided for the Walnut Grove Correctional
321 Facility.

322 **SECTION 22.** Of the funds appropriated in Section 1 to the
323 State Board of Education, the amounts of Two Hundred Twenty-five
324 Thousand Dollars (\$225,000.00) is provided for the Writing and
325 Thinking Institute and Sixty-four Thousand Three Hundred
326 Thirty-eight Dollars (\$64,338.00) is provided for the Very Special
327 Arts Program.

328 **SECTION 23.** Of the funds appropriated in this act to the
329 State Board of Education, an amount not to exceed Six Hundred
330 Fifty Thousand Dollars (\$650,000.00) shall be used for
331 technological methods for agricultural programs from the
332 Vocational and Technical Education Division of the State
333 Department of Education.

334 **SECTION 24.** Of the funds appropriated under Section 1 to the
335 State Board of Education, the sum of Sixty-two Thousand One
336 Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate
337 sum that the school districts in the Chickasaw Cession receive
338 annually from interest payments from the Chickasaw School Fund
339 under Section 212, Mississippi Constitution of 1890, shall be
340 deducted from the allocations to the school districts as provided
341 in Section 29-3-137, Mississippi Code of 1972, and shall be
342 distributed among the school districts in the Chickasaw Cession by
343 the State Department of Education in the manner that such interest
344 payments were distributed during Fiscal Year 1985.

345 **SECTION 25.** Of the funds provided in this act to the State
346 Board of Education for the purpose of funding the Mississippi
347 Adequate Education Program as determined under Section 37-151-7,
348 Mississippi Code of 1972, the base student cost in Fiscal Year
349 2007 shall be Four Thousand Three Hundred Sixty-seven Dollars
350 (\$4,367.00).

351 **SECTION 26.** Of the funds appropriated in this act to the
352 State Board of Education, an amount not more than Fifty Million
353 Dollars (\$50,000,000.00) shall be derived from the Interim School
354 District Capital Expenditure Fund for the benefit of the school
355 districts as authorized in Mississippi Code Annotated, Section
356 37-151-7 (5).

357 **SECTION 27.** Of the funds appropriated in this act to the
358 State Board of Education, it is the intention of the Legislature
359 that Twenty Million Dollars (\$20,000,000.00) from the Public
360 School Building Fund shall be used for the Mississippi Adequate
361 Education Program.

362 **SECTION 28.** With the funds appropriated under the provisions
363 of this act to the State Board of Education, the following
364 positions are authorized for the Mississippi School for the Blind
365 and the Mississippi School for the Deaf:

366 AUTHORIZED POSITIONS:

| | | | |
|-----|---------------|----------------|-----|
| 367 | Permanent: | Full Time..... | 184 |
| 368 | | Part Time..... | 29 |
| 369 | Time-Limited: | Full Time..... | 0 |
| 370 | | Part Time..... | 0 |

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

380 **SECTION 29.** With the funds provided in this act to the State
381 Board of Education, it is the intention of the Legislature that
382 the academic teachers at the Mississippi School for the Deaf and
383 the Mississippi School for the Blind shall receive their annual
384 increment.

385 **SECTION 30.** It is the intention of the Legislature that the
386 State Department of Education is authorized to escalate or
387 reescalate for Time-Limited positions where federal or special
388 fund grants are available to fund such positions.

389 **SECTION 31.** It is the intention of the Legislature that no
390 State General Funds authorized to be expended in this act shall be
391 used to replace federal funds and/or other special funds which are
392 being used for salaries authorized under the provisions of this
393 act and which are withdrawn and no longer available.

394 With respect to agency programs whose operation is dependent
395 on the receipt of federal funds, it is the intent of the
396 Legislature, except as hereinafter provided, that no funds from
397 the State General Fund be expended to administer, support or in
398 any way continue such programs should federal funds for their
399 operation be reduced or become unavailable and that no funds from
400 the State General Fund available for expenditure under this act
401 shall be used to replace federal funds in any major object of
402 expenditure.

403 Funds are provided herein to adjust the Variable Compensation
404 Plan to ensure that all full-time employees receive a pay increase
405 equal to the realignment component of the Variable Compensation
406 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
407 beginning on July 1, 2006.

408 Pursuant to policies established by the State Personnel
409 Board, agency heads may, on a case by case basis and within funds
410 available, recommend equity salary adjustments to Fiscal Year 2006
411 agency appropriation acts where application of limitations result
412 in awarding one employee a salary increase greater than another
413 employee within the same agency, with the same job classification
414 series and greater longevity.

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

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

442 **SECTION 32.** It is the intention of the Legislature that the
443 State Board of Education shall maintain complete accounting and
444 personnel records related to the expenditure of all funds
445 appropriated under the provisions of this act and that such
446 records shall be in the same format and level of details as
447 maintained for Fiscal Year 2006. It is further the intention of
448 the Legislature that the budget requests for Fiscal Year 2008
449 shall be submitted to the Joint Legislative Budget Committee in a

450 format and level of detail comparable to the format and level of
451 detail provided during the Fiscal Year 2007 budget request process
452 for each agency and institution appropriated funds within the
453 provisions of this act.

454 **SECTION 33.** Of the funds appropriated in Section 1 to the
455 State Board of Education, not less than Twenty-two Million Three
456 Hundred Ninety-seven Thousand Forty-eight Dollars (\$22,397,048.00)
457 shall be used for National Board Certification.

458 **SECTION 34.** Of the funds appropriated in Section 1 to the
459 State Board of Education, not less than Nine Million Fifty
460 Thousand One Hundred Twenty Dollars (\$9,050,120.00) shall be used
461 for the Educable Child Program.

462 **SECTION 35.** It is the intention of the Legislature that at
463 least Twenty-one Million Dollars (\$21,000,000.00) be expended for
464 textbooks as defined in Section 37-43-1, Mississippi Code of 1972.
465 The State Department of Education shall report to the Legislature
466 the amount of expenditures for each school district no later than
467 October 31, 2007.

468 **SECTION 36.** The public school districts of the state are
469 authorized at their discretion to pay with local funds one hundred
470 percent (100%) of the cost of the health insurance premiums of the
471 State and School Employees Health Insurance Plan for all retired
472 members of the Public Employees' Retirement System who are
473 employed as school bus drivers by the school districts. It is the
474 intention of the Legislature that no state funds shall be used for
475 this purpose.

476 **SECTION 37.** Of the funds appropriated for Fiscal Year 2007
477 for the Educable Child Program, the Mississippi Department of
478 Education is authorized to pay the remaining balance up to Two
479 Million One Hundred Sixty-five Thousand Dollars (\$2,165,000.00)
480 for fiscal year 2006 claims.

481 **SECTION 38.** Of the funds appropriated for Orthopedic and
482 Aphasic, One Hundred Sixty Thousand Dollars (\$160,000.00) shall be
483 for the Dubard School at the University of Southern Mississippi.

484 **SECTION 39.** It is the intention of the Legislature that
485 whenever two (2) or more bids are received by this agency for the
486 purchase of commodities or equipment, and whenever all things
487 stated in such received bids are equal with respect to price,
488 quality and service, the Mississippi Industries for the Blind
489 shall be given preference. A similar preference shall be given to
490 the Mississippi Industries for the Blind whenever purchases are
491 made without competitive bids.

492 **SECTION 40.** The money herein appropriated shall be paid by
493 the State Treasurer out of any money in the proper fund or funds
494 as set forth in this act, upon warrants issued by the State Fiscal
495 Officer; and the State Fiscal Officer shall issue his warrants
496 upon requisitions signed by the proper person, officer or officers
497 in the manner provided by law.

498 **SECTION 41.** This act shall take effect and be in force from
499 and after July 1, 2006.

SS05\HB1559A.J

John O. Gilbert
Secretary of the Senate