

Senate Amendments to House Bill No. 238

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 of those sums as
7 may be necessary, are 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, 2007, and ending June 30, 2008,
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..... \$ 103,113,411.00.

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 \$ 77,596,648.00.

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..... \$ 13,880,990.00.

26 (d) To the State Board of Education for defraying the
27 expenses of the Mississippi Adequate Education Program.....
28 \$ 1,988,739,085.00.

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.....\$ 12,177,869.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED
33 BY THIS SECTION BEING..... \$ 2,195,508,003.00.

34 **SECTION 2.** The following sums, or so much of those sums as
35 may be necessary, are 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, 2007, and ending
39 June 30, 2008, as follows:

40 (a) To the State Board of Education for the purpose of
41 defraying the expenses of the State Department of Education,
42 excluding the expenses of the Vocational and Technical Education
43 Division..... \$ 730,964,202.00.

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 \$ 23,954,389.00.

48 (c) To the State Board of Education for the purpose of
49 defraying the expenses of the Mississippi Adequate Education
50 Program..... \$ 266,403,267.00.

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..... \$ 773,261.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED
55 BY THIS SECTION BEING..... \$ 1,022,095,119.00.

56 **SECTION 3.** Of the funds appropriated in Section 2, One
57 Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars
58 (\$126,472.00), or so much of that sum as may be necessary, is
59 appropriated out of any money in the State Treasury to the credit
60 of the Health Care Expendable Fund to the State Department of
61 Education for the purpose of defraying the expenses of the
62 department for the Mississippi Eye Screening Program for providing
63 vision safety services.

64 **SECTION 4.** Of the funds appropriated in Section 2, the
65 following sums, or so much of those sums as may be necessary, are
66 derived out of any money in the State Treasury to the credit of

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

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

| | | |
|----|--|-------------------|
| 72 | Grants to school districts for capital | |
| 73 | facilities and buses..... | \$ 16,000,000.00. |
| 74 | Instructional materials..... | \$ 6,206,938.00. |
| 75 | Tech prep bond service..... | \$ 3,200,662.00. |
| 76 | Implementing Performance Based Data | |
| 77 | Collection and Accreditation | |
| 78 | Model..... | \$ 274,937.00. |
| 79 | World Class Teacher Program..... | \$ 125,000.00. |
| 80 | Testing..... | \$ 226,413.00. |
| 81 | Education Technology Council..... | \$ 94,082.00. |
| 82 | TOTAL..... | \$ 26,128,032.00. |

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

86 (c) To the State Department of Education to provide
87 funding for the Mississippi Adequate Education Program.....
88 \$196,403,267.00.

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

94 MAJOR OBJECTS OF EXPENDITURE:

95 Personal Services:

| | | |
|----|---------------------------------------|-------------------------|
| 96 | Salaries, Wages and Fringe Benefits.. | \$ <u>29,832,599.00</u> |
| 97 | Travel and Subsistence..... | 2,081,643.00 |
| 98 | Contractual Services..... | <u>44,252,138.00</u> |
| 99 | Commodities..... | 7,452,656.00 |

100 Capital Outlay:

| | | |
|-----|---------------------------|--------------|
| 101 | Other Than Equipment..... | 1,519,500.00 |
|-----|---------------------------|--------------|

| | | |
|-----|-------------------------------------|-----------------------|
| 102 | Equipment..... | 2,353,522.00 |
| 103 | Vehicles..... | 30,000.00 |
| 104 | Wireless Communication Devices..... | 0.00 |
| 105 | Subsidies, Loans and Grants..... | <u>746,555,555.00</u> |
| 106 | Total..... \$ | <u>834,077,613.00</u> |

107 FUNDING:

| | | |
|-----|-----------------------|-----------------------|
| 108 | General Funds..... \$ | <u>103,113,411.00</u> |
| 109 | Special Funds..... | <u>730,964,202.00</u> |
| 110 | Total..... \$ | <u>834,077,613.00</u> |

111 AUTHORIZED POSITIONS:

| | | |
|-----|------------------------------|------------|
| 112 | Permanent: Full Time..... | <u>468</u> |
| 113 | Part Time..... | 3 |
| 114 | Time-Limited: Full Time..... | 79 |
| 115 | Part Time | 0 |

116 **SECTION 6.** It is the intention of the Legislature that the
117 State Superintendent for the Department of Education, excluding
118 the expenses of the Vocational and Technical Education Division,
119 may increase major objects of expenditure in total amounts not to
120 exceed twenty-five percent (25%) of the appropriated amount of
121 each major object of expenditure, provided that other major
122 objects of expenditure are decreased by a corresponding dollar
123 amount and provided the Executive Director of the Mississippi
124 Department of Finance and Administration also approves with
125 written authorization. However, no transfers shall be authorized
126 that increase the major object of expenditure "Salaries, Wages and
127 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 in this act shall be
131 utilized in the most efficient and effective manner possible to
132 achieve the intended mission of the State Department of Education,
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 | | FY2008 |
| 138 | <u>Performance Measures</u> | <u>Target</u> |
| 139 | Special Education | |
| 140 | Approved Funding for Children (\$ in millions) | 100.80 |
| 141 | Teacher Units Approved for Funding (Units) | 4,672 |
| 142 | Child Nutrition | |
| 143 | Number of Meals Required (Millions) | 122 |
| 144 | Cost per Meal (\$) | 2.40 |
| 145 | MS School For Math & Science | |
| 146 | Students Enrolled (Persons) | 270 |
| 147 | Cost per Student (\$) | 16,500.00 |
| 148 | Educational Accountability | |
| 149 | Performance Accreditation Visits (Visits) | 35 |
| 150 | Tests Administered (Persons) | 545,679 |
| 151 | Compliance & Performance Reviews (Actions) | 30 |
| 152 | Educ Training & Development | |
| 153 | Administrators Trained (Persons) | 1,000 |
| 154 | Administrators Trained (%) | 35 |
| 155 | Technical Assistance to School Districts (%) | 95 |
| 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 (%) | 92 |
| 164 | School Visits (Number of) | 25,000 |
| 165 | MS Teacher Center | |
| 166 | Teachers Recruited in Shortage Areas (Number) | 1,900 |
| 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 2009. | |

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 in this act shall be
 174 utilized in the most efficient and effective manner possible to
 175 achieve the intended mission of the Mississippi Adequate Education
 176 Program. Based on the funding authorized, this agency shall make
 177 every effort to attain the targeted performance measures provided
 178 below:

| 179 | FY2008 |
|---|---------------|
| 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 2009.

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

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

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

222 AUTHORIZED POSITIONS:

| | | | |
|-----|---------------|----------------|----|
| 223 | Permanent: | Full Time..... | 59 |
| 224 | | Part Time..... | 0 |
| 225 | Time-Limited: | Full Time..... | 3 |
| 226 | | Part Time..... | 0 |

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

| | | |
|-----|---------------------------------|---------------|
| 235 | | FY2008 |
| 236 | <u>Performance Measures</u> | <u>Target</u> |
| 237 | Secondary Programs | |
| 238 | Increase in Students Served (%) | 1.00 |
| 239 | LEAs Served (Sites) | 144 |

| | | |
|-----|--|-------|
| 240 | Post-secondary Programs | |
| 241 | Short-Term Students Served (Persons) | 2,800 |
| 242 | Short-Term Adult Program Classes (Classes) | 225 |
| 243 | Short-Term Cost per Student (\$) | 65.00 |

244 A reporting of the degree to which the performance targets
245 set above have been or are being achieved shall be provided in the
246 agency's budget request submitted to the Joint Legislative Budget
247 Committee for Fiscal Year 2009.

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

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

261 **SECTION 16.** Of the funds appropriated in this act, no more
262 than One Hundred Eighteen Thousand Seventy-five Dollars
263 (\$118,075.00) is provided for the purpose of supporting the Future
264 Farmers of America Center.

265 **SECTION 17.** Of the funds provided in Section 1 for the
266 purpose of providing financial assistance for the education of
267 exceptional children as determined under Section 37-23-63,
268 Mississippi Code of 1972, children who are certified by the
269 designated authority as requiring inpatient care in a private
270 intermediate care facility for the mentally retarded or
271 psychiatric residential treatment facility, with Medicaid
272 reimbursement, shall be eligible and entitled to receive state
273 financial assistance under the provisions of Section 37-23-69, in
274 an amount not to exceed Five Thousand Dollars (\$5,000.00) from

275 state funds, per child per school year, if an approved private
276 school is operated as an integral part of the facility that
277 provides twenty-four (24) hours a day monitoring, treatment and
278 education, except that the State Department of Education is
279 authorized to pilot a fee-for-service based cost system for
280 children served through Millcreek Schools, Inc.

281 **SECTION 18.** Of the funds provided in Section 1, Two Hundred
282 Twenty-four Thousand Four Hundred Ninety-six Dollars (\$224,496.00)
283 shall be used to provide for a Director of School Nurses in the
284 State Department of Education and the implementation of three (3)
285 pilot projects for a variety of school health programs in an
286 elementary school setting. Evaluations shall be developed to
287 determine the program's effect to drop-out rates, suspensions,
288 expulsions, attendance and test scores.

289 Income generated by the school-based clinics shall remain
290 available for expenditure by the programs utilizing any special
291 fund authority provided in Section 2 for use by the State
292 Department of Education and the pilots shall remain the same as in
293 Fiscal Year 2007.

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

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

310 and Mississippi Symphony, University of Southern Mississippi Safe
311 Schools Program, Mississippi State University Center for Education
312 Design, Writing and Thinking Institute, Greater Columbus Early
313 Learning Center and Mississippi Council for Economic Education.

314 **SECTION 21.** Of the funds appropriated in Section 1, Two
315 Hundred Thirty-five Thousand Dollars (\$235,000.00) is provided for
316 the Writing and Thinking Institute, Seventy Thousand Dollars
317 (\$70,000.00) is provided for the Very Special Arts Program and One
318 Hundred Thousand Dollars (\$100,000.00) is provided for the
319 Mississippi Council for Economic Education.

320 **SECTION 22.** Of the funds appropriated in this act, an amount
321 not to exceed One Million Three Hundred Thousand Dollars
322 (\$1,300,000.00) shall be used for technological methods for
323 agricultural programs from the Vocational and Technical Education
324 Division of the State Department of Education.

325 **SECTION 23.** Of the funds appropriated in Section 1, the sum
326 of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00),
327 which is the aggregate sum that the school districts in the
328 Chickasaw Cession receive annually from interest payments from the
329 Chickasaw School Fund under Section 212, Mississippi Constitution
330 of 1890, shall be deducted from the allocations to the school
331 districts as provided in Section 29-3-137, Mississippi Code of
332 1972, and shall be distributed among the school districts in the
333 Chickasaw Cession by the State Department of Education in the
334 manner that those interest payments were distributed during Fiscal
335 Year 1985.

336 **SECTION 24.** Of the funds provided in this act for the
337 purpose of funding the Mississippi Adequate Education Program as
338 determined under Section 37-151-7, Mississippi Code of 1972, the
339 base student cost in Fiscal Year 2008 shall be Four Thousand Four
340 Hundred Sixty-five Dollars (\$4,465.00).

341 **SECTION 25.** Of the funds appropriated in this act, an amount
342 not more than Fifty Million Dollars (\$50,000,000.00) shall be
343 derived from the Interim School District Capital Expenditure Fund

344 for the benefit of the school districts as authorized in
345 Mississippi Code Annotated, Section 37-151-7(5).

346 **SECTION 26.** Of the funds appropriated in this act, it is the
347 intention of the Legislature that Twenty Million Dollars
348 (\$20,000,000.00) from the Public School Building Fund shall be
349 used for the Mississippi Adequate Education Program.

350 **SECTION 27.** With the funds appropriated in this act, the
351 following positions are authorized for the Mississippi School for
352 the Blind and the Mississippi School for the Deaf:

353 AUTHORIZED POSITIONS:

| | | | |
|-----|---------------|----------------|-----|
| 354 | Permanent: | Full Time..... | 194 |
| 355 | | Part Time..... | 30 |
| 356 | Time-Limited: | Full Time..... | 1 |
| 357 | | Part Time..... | 0 |

358 Of the funds appropriated in Section 1 and Section 2 for the
359 Mississippi School for the Blind and the Mississippi School for
360 the Deaf, not more than One Hundred Forty-five Thousand Dollars
361 (\$145,000.00) shall be expended for vehicle purchases.

362 **SECTION 28.** With the funds provided in this act, it is the
363 intention of the Legislature that School Attendance Officers and
364 the academic teachers at the Mississippi School for the Deaf and
365 the Mississippi School for the Blind shall receive their annual
366 increment.

367 **SECTION 29.** It is the intention of the Legislature that no
368 State General Funds authorized to be expended in this act shall be
369 used to replace federal funds and/or other special funds that are
370 being used for salaries authorized under the provisions of this
371 act and that are withdrawn and no longer available.

372 With respect to agency programs whose operation is dependent
373 on the receipt of federal funds, it is the intent of the
374 Legislature, except as hereinafter provided, that no funds from
375 the State General Fund be expended to administer, support or in
376 any way continue those programs if federal funds for their
377 operation be reduced or become unavailable and that no funds from
378 the State General Fund available for expenditure under this act

379 shall be used to replace federal funds in any major object of
380 expenditure.

381 Funds are provided herein to adjust the Variable Compensation
382 Plan to ensure that all full-time employees receive a pay increase
383 equal to the realignment component of the Variable Compensation
384 Plan or One Thousand Dollars (\$1,000.00) or three percent (3%),
385 whichever is greater, to be awarded on July 1, 2007.

386 With the funds appropriated in this act, it is the intention
387 of the Legislature that it shall be the agency's responsibility to
388 make certain that funds required to be appropriated for "Personal
389 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
390 funds appropriated for that purpose, unless programs or positions
391 are added to the agency's Fiscal Year 2009 budget by the
392 Mississippi Legislature. Based on data provided by the
393 Legislative Budget Office, the State Personnel Board shall
394 determine and publish the projected annual cost to fully fund all
395 appropriated positions in compliance with the provisions of this
396 act. It shall be the responsibility of the agency head to insure
397 that no single personnel action increases this projected annual
398 cost and/or the Fiscal Year 2008 appropriation for "Personal
399 Services" when annualized, with the exception of escalated funds.
400 If, at the time the agency takes any action to change "Personal
401 Services," the State Personnel Board determines that the agency
402 has taken an action that would cause the agency to exceed this
403 projected annual cost or the Fiscal Year 2008 "Personal Services"
404 appropriated level, when annualized, then only those actions that
405 reduce the projected annual cost and/or the appropriation
406 requirement will be processed by the State Personnel Board until
407 such time as the requirements of this provision are met.

408 Any transfers or escalations shall be made in accordance with
409 the terms, conditions and procedures established by law or
410 allowable under the terms set forth in this act. The State
411 Personnel Board shall not escalate positions without written
412 approval from the Department of Finance and Administration. The
413 Department of Finance and Administration shall not provide written

414 approval to escalate any funds for salaries and/or positions
415 without proof of availability of new or additional funds above the
416 appropriated level.

417 The agency shall not take any action to promote or otherwise
418 award salary increases through reallocation, reclassification,
419 realignment, education benchmark, career ladder, or any other
420 means to increase salaries of employees or positions unless
421 specifically exempted by the following conditions: the award of
422 teacher pay increases, the advancement of a trainee/cadet to the
423 next level of a bona fide career ladder, the award of an
424 educational benchmark for the attainment of Certified Public
425 Accountant License or higher level professional certification as
426 determined by the State Personnel Board, the immediate replacement
427 of a departing employee with an individual from within state
428 service or a new hire at a salary level equivalent to that of the
429 departing employee, and the emergency appointment of nurses,
430 pharmacists or other health care professionals at a salary to be
431 determined by the State Personnel Board, unless otherwise
432 authorized in this act.

433 **SECTION 30.** It is the intention of the Legislature that the
434 State Board of Education shall maintain complete accounting and
435 personnel records related to the expenditure of all funds
436 appropriated in this act and that those records shall be in the
437 same format and level of details as maintained for Fiscal Year
438 2007. It is further the intention of the Legislature that the
439 budget requests for Fiscal Year 2009 shall be submitted to the
440 Joint Legislative Budget Committee in a format and level of detail
441 comparable to the format and level of detail provided during the
442 Fiscal Year 2008 budget request process for each agency and
443 institution appropriated funds within the 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, not less
449 than Fourteen Million Sixty-five Thousand Dollars (\$14,065,000.00)
450 shall be used for the Educable Child Program.

451 **SECTION 33.** It is the intention of the Legislature that at
452 least Twenty-one Million Dollars (\$21,000,000.00) be expended for
453 textbooks as defined in Section 37-43-1, Mississippi Code of 1972.
454 The State Department of Education shall report to the Legislature
455 the amount of expenditures for each school district no later than
456 October 31, 2008.

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

465 **SECTION 35.** Of the funds appropriated for Fiscal Year 2008
466 for the Educable Child Program, the Mississippi Department of
467 Education is authorized to pay the remaining balance up to Two
468 Million Dollars (\$2,000,000.00) for fiscal year 2007 claims.

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

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

480 **SECTION 38.** It is the intention of the Legislature that in
481 any year that the Mississippi Adequate Education Program is not

482 fully funded, the State Department of Education shall prorate the
483 underfunded amount to local school districts for that year.

484 **SECTION 39.** Of the funds appropriated in Section 1, not less
485 than Six Million Seven Hundred Thirteen Thousand Six Hundred
486 Fifty-three Dollars (\$6,713,653.00) shall be used for the
487 Compulsory School Attendance Office and School Attendance
488 Officers.

489 **SECTION 40.** Of the funds appropriated in this act, not less
490 than Eight Hundred Twenty-five Thousand Dollars (\$825,000.00)
491 shall be provided for Jobs for Mississippi Graduates. Of the
492 funds provided in this section, Five Hundred Thousand Dollars
493 (\$500,000.00) shall be used to support a Jobs for Mississippi
494 Graduates Middle School Pilot Program.

495 **SECTION 41.** Of the funds appropriated in this act, not less
496 than Two Hundred Thousand Dollars (\$200,000.00) shall be provided
497 to fund the Magnolia Speech School.

498 **SECTION 42.** Of the funds provided herein, no less than Two
499 Million Dollars (\$2,000,000.00) is provided for the Middle School
500 Mentoring Program.

501 **SECTION 43.** Of the funds provided herein, no less than One
502 Million Eight Hundred Thousand Dollars (\$1,800,000.00) is provided
503 for the Dyslexia Program.

504 **SECTION 44.** The money appropriated in this act shall be paid
505 by the State Treasurer out of any money in the proper fund or
506 funds as set forth in this act, upon warrants issued by the State
507 Fiscal Officer; and the State Fiscal Officer shall issue his
508 warrants upon requisitions signed by the proper person, officer or
509 officers in the manner provided by law.

510 **SECTION 45.** This act shall take effect and be in force from
511 and after July 1, 2007.

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

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING
2 K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN
3 AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL
4 YEAR 2008.

SS26\HB238PS.J

John O. Gilbert
Secretary of the Senate