

*****Lost*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 1136

By Representative(s) Ellis, Espy

1 **AMEND** by inserting the following new section after line 56
2 and by renumbering all succeeding sections accordingly:

3 "**SECTION 5.** (1) Any child who is an orphan in the State of
4 Mississippi is entitled to a complete scholarship, including
5 tuition, room and meals, books, school supplies, materials and
6 dues or fees for extracurricular activities, at any public
7 community or junior college or state institution of higher
8 learning within this state in exchange for two (2) years' public
9 service in the employ of the State of Mississippi or any political
10 subdivision of the state. For the purposes of this section, the
11 term "orphan" means a child who does not have a parent, guardian
12 or custodian, including a foster parent; however, custody by the
13 Department of Human Services does not render a child ineligible
14 for a scholarship under this section.

15 (2) Any person considered to be an orphan under the age of
16 twenty-one (21) years who is enrolled in or accepted for
17 enrollment at a state institution of higher learning or a public
18 community or junior college in Mississippi may apply for a
19 scholarship under this section. An application must be
20 accompanied by written documentation from the Department of Human
21 Services verifying the child's status as an orphan and any other
22 information that may be required pursuant to rules or regulations
23 established under subsection (6) of this section.

24 (3) The scholarship program created under this section will
25 provide scholarships for up to forty (40) recipients during each
26 year. The maximum annual award that may be made under the
27 scholarship program may not exceed the total cost of tuition, room
28 and meals, books, school supplies, materials and dues or fees for
29 extracurricular activities at the institution or college at which
30 the student is enrolled. Both full-time and part-time students
31 may apply for awards under this section. Students enrolling on a
32 full-time basis may receive a maximum of four (4) annual awards
33 or, in those instances when a degree program requires five (5)
34 years for completion, five (5) annual awards. The number of
35 awards which may be made to a student attending school on a
36 part-time basis may not exceed the length of time required to
37 complete the associate or baccalaureate degree or certificate
38 program toward which the student is working. A person who has a
39 baccalaureate degree is not eligible for a scholarship under the
40 program, and any person who has an associate degree may receive
41 awards only in furtherance of a baccalaureate degree.

42 (4) (a) For the purpose of establishing the eligibility of
43 applicants for scholarships under this section, the Board of
44 Trustees of State Institutions of Higher Learning, jointly with
45 the State Board for Community and Junior Colleges, shall define
46 with specificity the term "orphan," which definition must be
47 consistent with the general definition of the term ascribed in
48 subsection (1) of this section. The definition must be included
49 in the rules and regulations established under subsection (6) of
50 this section.

51 (b) The Department of Human Services shall establish
52 objective criteria to be considered by the department when
53 determining whether a child may be deemed an orphan for purposes
54 of this section.

55 (5) As a condition for renewal of a scholarship, a student
56 must make steady academic progress toward a certificate or
57 associate or baccalaureate degree, as certified by the
58 institution's registrar, and must maintain a cumulative grade

59 point average of at least 2.50 calculated on a 4.00 scale at the
60 end of each term.

61 (6) The Board of Trustees of State Institutions of Higher
62 Learning and the State Board for Community and Junior Colleges
63 jointly shall promulgate rules and regulations necessary to carry
64 out the purposes and intent of this section. The Board of
65 Trustees of State Institutions of Higher Learning shall administer
66 the program.

67 (7) Except in those cases where employment positions may not
68 be available, within six (6) months of earning a certificate or
69 associate or baccalaureate degree, a recipient of a scholarship
70 under this section shall begin to render service as an employee of
71 the State of Mississippi or any political subdivision of the
72 state. The person shall render no less than two (2) years'
73 service as an employee of the state or local governmental entity.

74 (8) Any person failing to complete his public service
75 obligation, as required under subsection (7) of this section, is
76 liable to the Board of Trustees of State Institutions of Higher
77 Learning for the sum of all scholarship awards made to that person
78 less the corresponding amount of any awards for which service has
79 been rendered, plus interest accruing at the current Stafford Loan
80 rate at the time the person discontinues his service, except in
81 the case of a deferral of debt for cause by the board when there
82 is no employment position available upon the recipient's
83 completion of the certificate program or associate or
84 baccalaureate degree. After the period of any deferral, the
85 person shall begin his employment in public service as required
86 under subsection (7) or shall become liable to the board under
87 this subsection. If a claim for payment under this subsection is
88 placed in the hands of an attorney for collection, the obligor is
89 liable for an additional amount equal to a reasonable attorney's
90 fee.

91 (9) It is the intent of the Legislature to fully fund
92 scholarships to eligible students under this program. If funds
93 are insufficient to fully fund scholarships to all eligible

94 applicants, the board shall award the scholarships to first-time
95 students on a first-come, first-served basis; however, priority
96 consideration must be given to persons previously receiving awards
97 under the program who are making steady academic progress toward
98 completion of a certificate program or associate or baccalaureate
99 degree."

100 **AMEND** title to conform.