

By: Representatives Brown, Broomfield,
Dickson, Hudson, Markham, Peranich,
Straughter, Warren, Weathersby

To: Appropriations

HOUSE BILL NO. 1559
(As Sent to Governor)

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 2007.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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>
Special Education	
Approved Funding for Children (\$ in millions)	87.89
Teacher Units Approved for Funding (Units)	4,672
Child Nutrition	
Number of Meals Required (Millions)	121
Cost per Meal (\$)	2.28
MS School For Math & Science	
Students Enrolled (Persons)	270
Cost per Student (\$)	15,717.00
Educational Accountability	
Performance Accreditation Visits (Visits)	30
Tests Administered (Persons)	738,491
Compliance & Performance Reviews (Actions)	25
Educ Training & Development	
Administrators Trained (Persons)	1,000
Administrators Trained (%)	35
Technical Assistance to School Districts (%)	92
Compensatory Education	
Title I Projects Awarded (Programs)	152
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:

	FY2007
<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 Dollars
489 (\$6,555,153.00) shall be used for the Compulsory School Attendance
490 Office and School 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 Dollars (\$3,399,999.00) are provided to be set aside as a
495 mechanism to hold harmless those local districts that lose funding
496 in the phase-in implementation period.

497 **SECTION 41.** The following sum, or so much thereof as may be
498 necessary, is hereby reappropriated out of any money in the
499 Education Enhancement Fund not otherwise appropriated, to the
500 State Board of Education for defraying the cost of the Mississippi
501 Adequate Education Program as authorized in House Bill No. 64,
502 Second Extraordinary Session of 2005, for the fiscal year
503 beginning July 1, 2006, and ending June 30, 2007.....
504 \$ 10,000,000.00.

505 **SECTION 42.** The money herein appropriated shall be paid by
506 the State Treasurer out of any money in the proper fund or funds
507 as set forth in this act, upon warrants issued by the State Fiscal
508 Officer; and the State Fiscal Officer shall issue his warrants
509 upon requisitions signed by the proper person, officer or officers
510 in the manner provided by law.

511 **SECTION 43.** This act shall take effect and be in force from
512 and after July 1, 2006.