

By: Senator(s) Hall, Burton, Jordan (18th), Dearing, Farris, Gordon, Kirby, Posey, Simmons, Turner, White (5th), Frazier, Jordan (24th) To: Appropriations

SENATE BILL NO. 3136 (As Passed the Senate)

1 AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF
2 STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT
3 UNIVERSITIES AND THE DESIGNATED INSTITUTES, LABORATORIES AND
4 PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE
5 OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2000; AND FOR RELATED
6 PURPOSES.

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 SECTION 1. The following sums of money, or so much thereof
10 as may be necessary, are hereby appropriated out of any money in
11 the State General Fund not otherwise appropriated, to the Board of
12 Trustees of State Institutions of Higher Learning for the purpose
13 of support, maintenance, affirmative action plan, interest funds
14 and repairs at the state-supported institutions of higher
15 learning; for support of Mississippi State University, Mississippi
16 State Chemical Laboratory, Water Resources Institute, The
17 University of Mississippi, Mississippi Law Research Institute,
18 Teacher Corps, Jackson State University Urban Research Center,
19 Mississippi Mineral Resources Research Institute, Research
20 Institute of Pharmaceutical Sciences, the Supercomputer, the
21 Stennis Institute of Government, Mississippi University for Women,
22 University of Southern Mississippi, Gulf Coast Research
23 Laboratory, Polymer Institute, Small Business Development Center,
24 Stennis Center for Higher Learning, Space Commerce Initiative,
25 Delta State University, Alcorn State University, Jackson State
26 University, Mississippi Valley State University, the Commission
27 for Volunteer Services and the executive office of the board of
28 trustees for the fiscal year beginning July 1, 1999, and ending
29 June 30, 2000..... \$ 317,319,054.00.

30 SECTION 2. The following sums of money, or so much thereof
31 as may be necessary, are hereby appropriated out of the proceeds
32 from any federal, student fees or other special source funds not
33 otherwise appropriated, to the Board of Trustees of State
34 Institutions of Higher Learning for the purpose of support of
35 Mississippi State University, Mississippi State Chemical
36 Laboratory, Water Resources Institute, Mississippi Alcohol Safety
37 Education Program, The University of Mississippi, Mississippi Law
38 Research Institute, Mississippi Small Business Development Center,
39 Mississippi Mineral Resources Research Institute, Research
40 Institute of Pharmaceutical Sciences, the Supercomputer,
41 Mississippi University for Women, University of Southern
42 Mississippi, Stennis Space Center's Center for Higher Learning,
43 Gulf Coast Research Laboratory, Polymer Institute, Delta State
44 University, Alcorn State University, Jackson State University,
45 Jackson State University Urban Research Center, Mississippi Valley
46 State University, the Commission for Volunteer Services and the
47 executive office of the board of trustees for the fiscal year
48 beginning July 1, 1999, and ending June 30, 2000.....
49 \$ 353,143,288.00.

50 SECTION 3. The following sum, or so much thereof as may be
51 necessary, is hereby appropriated out of any money in the State
52 Treasury to the credit of the:

53 Mississippi Alcohol Safety Education Program. . . \$ 150,000.00.
54 State Court Education Program \$1,943,522.00.

55 for the purpose of defraying the expenses incurred by said
56 programs for the fiscal year beginning July 1, 1999, and ending
57 June 30, 2000.

58 SECTION 4. The following sums, or so much thereof as may be
59 necessary, is hereby appropriated out of any money in the Ayers
60 Endowment Interest Fund, State Treasury Fund No. 3258, for the
61 purposes as set out by the courts in the Ayers Case:

62 Alcorn State University. \$300,000.00

63 Jackson State University \$300,000.00

64 Mississippi Valley State University. . . \$300,000.00

65 SECTION 5. Of the funds appropriated under the provisions of
66 Sections 1 and 2 hereof, the following amounts, or so much thereof
67 as may be necessary, shall be expended by the Board of Trustees of
68 State Institutions of Higher Learning for the purposes hereinafter
69 set forth:

70 (1) Support:

71 (a) From State General Funds, for support
72 of Mississippi State University, the
73 University of Mississippi, Mississippi
74 University for Women, University of
75 Southern Mississippi, Delta State University,
76 Alcorn State University, Jackson State
77 University and Mississippi Valley State
78 University, for the sum.....\$ 295,687,484.00.

79 (b) From State General Funds, for the support of
80 Executive Office of the Board of Trustees for
81 the sum of\$ 2,948,167.00.
82 Mississippi State Chemical Laboratory for the
83 sum of.....\$ 1,533,311.00.
84 Mississippi Water Resources Institute for the
85 sum of.....\$ 120,679.00.
86 Mississippi Law Research Institute for the
87 sum of.....\$ 522,674.00.
88 Mississippi Mineral Resources Institute for
89 the sum of.....\$ 569,020.00.
90 Research Institute of Pharmaceutical Sciences
91 for the sum of.....\$ 4,807,145.00.
92 Jackson State University Urban Research
93 Center for the sum of.....\$ 388,886.00.
94 Gulf Coast Research Laboratory for the
95 sum of.....\$ 4,696,008.00.

96 Supercomputer for the sum
 97 of.....\$ 1,953,491.00.
 98 Mississippi Polymer Institute for
 99 the sum of.....\$ 602,455.00.
 100 Mississippi Small Business
 101 Development Center for the
 102 sum of.....\$ 529,742.00.
 103 Stennis Space Center - Center for Higher
 104 Learning for the sum of.....\$ 500,000.00.
 105 Stennis Institute of Government for the
 106 sum of\$ 249,843.00.
 107 Commission for Volunteer Services for
 108 the sum of.....\$ 210,149.00.
 109 Stennis Space Center - Space Commerce
 110 Initiative for the sum of....\$ 2,000,000.00.

111 Of the funds appropriated under the provisions of Section 1,
 112 and allocated to the Gulf Coast Research Laboratory, the Board of
 113 Trustees of State Institutions of Higher Learning shall allocate
 114 for Sea Grants matching One Hundred Seventy-five Thousand Dollars
 115 (\$175,000.00) for the fiscal year 2000.

116 Provided further, it is the intention of the Legislature, in
 117 the event budget reductions are imposed on the Gulf Coast Research
 118 Laboratory by the Board of Trustees of State Institutions of
 119 Higher Learning, as a result of the Governor ordering budget
 120 reductions under the provisions of Sections 27-104-13 or
 121 31-17-123, Mississippi Code of 1972, the same percent reduction
 122 will be applied to those state funds identified in this section
 123 for Sea Grant match.

124 (c) From special funds, the following sum,
 125 or so much thereof as may be necessary,
 126 is hereby authorized out of the proceeds
 127 derived from any federal funds, student
 128 fees or other special source funds

129 which are collected by or otherwise
130 become available for the support and
131 maintenance of the eight (8) universities,
132 institutes, laboratories, programs and
133 executive office of the board of trustees....
134\$353,143,288.00.

135 It is the intent of the Legislature that
136 the Board of Trustees of State Institutions of
137 Higher Learning shall allocate funds to the
138 off-campus centers based on a minimum rate
139 of sixty-five percent (65%) of the on-campus cost
140 of a full-time equivalent student. The on-campus
141 distribution is to be determined without regard to
142 the costs incurred by any one or more of them in
143 the operation of off-campus degree completing
144 centers' classes. Off-campus centers which
145 are operated jointly by two (2) or more
146 institutions, the amount allocated to such
147 centers shall be prorated among the
148 institutions jointly operating such
149 centers based on the full-time equivalent
150 enrollment of such centers.

151 (d) The board of trustees shall insure that
152 the off-campus centers are not charged
153 with any indirect or overhead cost
154 prorated from any on-campus activity.

155 It is the intent of the Legislature that
156 the on-campus operations charge the
157 off-campus centers with only actual direct
158 charges.

159 (e) Of the funds appropriated in Section 1 and
160 allocated in Section 5(1)(a), the amount of
161 One Hundred Fifty-seven Thousand Five Hundred

162 Dollars (\$157,500.00) shall be used for the
163 promotion and expenses of the Mississippi
164 Governor's School for the Gifted and
165 Talented.

166 Provided, however, that the Board
167 of Trustees of State Institutions of Higher
168 Learning shall develop the governing policy
169 for faculty, course content and facilities
170 selection on a competitive basis from all
171 Mississippi senior colleges and universities.
172 The Mississippi Governor's School for the
173 Gifted and Talented shall accept not less than
174 one (1) high school student nominee from each
175 accredited high school in Mississippi. The
176 nominees, selected under criteria developed
177 and adopted by the Board of Trustees of State
178 Institutions of Higher Learning, shall
179 be provided a three-week tuition-free
180 program.

181 The Board of Trustees of State Institutions
182 of Higher Learning shall compile and publish
183 the report of the statewide evaluation
184 committee on the leadership impact of graduates
185 of this school. This report is to be a
186 continuing study on the youthful leadership of
187 the state.

188 (f) Of the funds appropriated in Section 1 and
189 allocated in Section 5(1)(a), the amount of
190 Two Hundred Thousand Dollars (\$200,000.00)
191 shall be used for the promotion and expenses
192 of the Teacher Corps.

193 (g) It is the intent of the Legislature that
194 no general funds authorized to be expended

195 herein shall be used to replace federal funds
196 and/or other special funds which are being used
197 for salaries authorized under the provisions of
198 this act and which are withdrawn and no longer
199 available.

200 (h) After the Mississippi State Chemical Laboratory
201 has provided the maximum amount of services
202 which may be provided free of charge under the
203 provisions of Section 57-21-11(c), Mississippi
204 Code of 1972, the laboratory shall not provide
205 any additional services from the funds
206 appropriated under the provisions of Sections
207 1 and 2 if any charges for such services
208 previously provided are more than ninety (90)
209 days past due. After all such delinquent
210 charges have been paid by a client, the
211 laboratory may provide additional services to
212 the client.

213 (2) Of the funds appropriated in Section 1 and
214 allocated in Section 5(1)(a), the following amounts
215 shall be used as set forth:

216 (a) For Mississippi State University as interest
217 on agricultural land script fund and
218 interest on sale of university land, the
219 sum of.....\$ 14,387.00.

220 (b) For the University of Mississippi as
221 interest on original seminary fund, the
222 sum of.....\$ 32,643.00.

223 (c) For the University of Mississippi as
224 interest on 1904 land grant fund, the
225 sum of.....\$ 9,965.00.

226 (d) For the University of Mississippi as
227 interest on LaBauve Fund, the sum

228 of.....\$ 1,420.00.

229 (e) For Mississippi University for Women
230 as interest on funds paid into the
231 State Treasury as proceeds of sale of
232 land donated to the Industrial Institute
233 and College by the United States
234 Government, the sum of.....\$ 9,389.00.

235 (f) For Alcorn State University as interest
236 on land script and land sales funds,
237 the sum of.....\$ 12,592.00.

238 SECTION 6. Of the funds appropriated in Section 2 and
239 authorized for expenditure in Section 5(1)(c), the following
240 amounts shall be derived from Education Enhancement Funds
241 deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi
242 Code of 1972:

243 On-campus and off-campus support of Mississippi State
244 University, the University of Mississippi, Mississippi
245 University for Women, University of Southern Mississippi,
246 Delta State University, Alcorn State University, Jackson
247 State University and Mississippi Valley State University
248 for the sum of.....\$ 30,244,638.00.

249 Executive Office of the Board of Trustees
250 for the sum of.....\$ 156,400.00.

251 Mississippi State Chemical Laboratory for the
252 sum of.....\$ 170,100.00.

253 Mississippi Water Resources Institute for
254 the sum of.....\$ 9,200.00.

255 Mississippi Law Research Institute for
256 the sum of.....\$ 35,000.00.

257 Mississippi Mineral Resources Institute
258 for the sum of.....\$ 25,300.00.

259 Research Institute of Pharmaceutical
260 Sciences for the sum of.....\$ 105,800.00.

261 Stennis Institute of Government for the sum
 262 of.....\$ 49,000.00.
 263 Commission on Volunteer Services for
 264 the sum of.....\$ 97,000.00.
 265 Gulf Coast Research Laboratory for the
 266 sum of.....\$ 207,000.00.
 267 TOTAL.....\$ 31,099,438.00.

268 SECTION 7. Of the funds appropriated in Section 2 and
 269 authorized for expenditure in Section 5(1)(c), the following
 270 amounts shall be derived from Education Enhancement Funds
 271 deposited pursuant to Section 27-103-203(1), Mississippi Code of
 272 1972:

273 On-campus and off-campus support of
 274 Mississippi State University, The
 275 University of Mississippi, Mississippi
 276 University for Women, University of
 277 Southern Mississippi, Delta State
 278 University, Alcorn State University,
 279 Jackson State University, and Mississippi
 280 Valley State University for the sum
 281 of..... \$ 21,530,585.00.
 282 Stennis Institute of Government, for the
 283 sum of.....\$ 20,000.00.
 284 TOTAL.....\$ 21,550,585.00.

285 SECTION 8. It is the intention of the Legislature that the
 286 Board of Trustees of State Institutions of Higher Learning shall
 287 first use special funds to the greatest extent possible to defray
 288 the costs of providing remediation at the state-supported
 289 institutions of higher learning.

290 SECTION 9. None of the funds appropriated by this act shall
 291 be expended for any purpose that is not actually required or
 292 necessary for performing any of the powers or duties of the Board
 293 of Trustees of State Institutions of Higher Learning, or any of

294 the powers or duties of any institution under the jurisdiction of
295 the board of trustees, that are authorized by the Mississippi
296 Constitution of 1890, state or federal law, or rules or
297 regulations that implement state or federal law.

298 SECTION 10. The Board of Trustees of State Institutions of
299 Higher Learning shall submit to the Committee on Appropriations of
300 both houses of the Mississippi Legislature by January 1, 2000, a
301 consolidated report for all the several institutions under its
302 jurisdiction, on forms and in a manner to be prescribed by the
303 Legislative Budget Committee, which reflects the anticipated
304 current restricted fund revenues for the 2000 fiscal year, and the
305 budgeted use of such current restricted funds by major object
306 category. For purposes of this section, the term "current
307 restricted funds" shall be defined as those public funds available
308 for financing university operations which are limited by the
309 donor, or by an agency external to the Board of Trustees of State
310 Institutions of Higher Learning, to specific purposes, programs,
311 departments or schools, but shall not include endowment funds or
312 private gifts exempted under the provisions of Section 27-103-5,
313 Mississippi Code of 1972.

314 SECTION 11. It is the intention of the Legislature that the
315 budget requests of the individual institutes, laboratories and
316 programs consolidated in this bill for Fiscal Year 2001 shall be
317 submitted to the Joint Legislative Budget Committee in a format
318 and level of detail comparable to the format and level of detail
319 provided during the Fiscal Year 2000 budget request process.

320 SECTION 12. It is the intention of the Legislature that the
321 Board of Trustees of State Institutions of Higher Learning
322 continue to review, and eliminate when possible, duplicating
323 programs and degrees in the existing Institutions of Higher
324 Learning in this state.

325 SECTION 13. No state appropriations or student tuition and
326 fee receipts, except those specifically charged for the provision

327 of the services, shall be used to support auxiliary enterprises,
328 with the exception of intercollegiate athletics at a level
329 designated by the board of trustees. It is the intent of the
330 Legislature that auxiliary enterprises shall be self-supporting;
331 and that deficits not be taken from funds intended for instruction
332 and academic programs.

333 SECTION 14. However, none of the funds herein appropriated
334 shall be spent to defray tuition cost or subsidize in any way the
335 direct cost of education, ordinarily paid by the student, of any
336 nonresident alien enrolled in any state-supported institution of
337 higher learning in the State of Mississippi. However, this will
338 not apply to any nonresident alien student if the United States
339 has a reciprocal agreement with their country on subsidizing the
340 education of a United States citizen student.

341 SECTION 15. The Board of Trustees shall report yearly to the
342 Legislature the institution compliance with Section 97-11-51,
343 Mississippi Code of 1972, which prohibits deficit spending.

344 SECTION 16. Any funds appropriated pursuant to this act and
345 paid as a fee to or deposited in a financial institution shall be
346 in compliance with Section 109 of the Constitution of the State of
347 Mississippi and Section 25-4-103, Mississippi Code of 1972.

348 SECTION 17. Should revenues generated and deposited to the
349 Education Enhancement Fund pursuant to Section 27-103-203(1),
350 Mississippi Code of 1972, fall below funds appropriated herein
351 from said source, the Board of Trustees of State Institutions of
352 Higher Learning shall notify the Department of Finance and
353 Administration as to which allotments shall be reduced to insure
354 that expenditures do not exceed actual revenues.

355 SECTION 18. In compliance with the "Mississippi Performance
356 Budget and Strategic Planning Act of 1994," it is the intent of
357 the Legislature that the funds provided herein shall be utilized
358 in the most efficient and effective manner possible to achieve the
359 intended mission of this agency. Based on the funding authorized,

360 this agency shall make every effort to attain the targeted
361 performance measures provided below:

362	<u>Performance Measures</u>	<u>FY2000 Target</u>
363	INSTRUCTION	
364	Maintain a Freshman (first time,	
365	full time) Cohort Retention	
366	Rate from Fall to Fall that	
367	is 70% or above (%)	70%
368	Maintain a Freshman (first time,	
369	full time) Cohort Undergraduate	
370	Graduation Rate after Six	
371	Years that Is 40% or above (%)	40%
372	Increase in Other Race Personnel	
373	with Academic Rank (%)	Increase by 1%
374	Increase in Number of Personnel with	
375	Academic Rank who hold Terminal	
376	Degrees (Includes Doctorate and	
377	First Professional Degrees) (%)	Increase by 1%
378	RESEARCH	
379	Change in Expenditures of Unrestricted	
380	E & G Funds for Research (%)	Increase by 1%
381	PUBLIC SERVICE	
382	Change in Expenditures of Unrestricted	
383	E & G Funds for Public Service (%)	Increase by 1%
384	ACADEMIC SUPPORT	
385	Strive to Reach the Average	
386	Expenditures for Libraries as	
387	listed in the American Library	
388	Association Standards for Academic	
389	and Research Libraries (%)	Increase by 0.5%
390	Increase the Expenditure of	
391	unrestricted E & G Funds per	
392	Fall Full Time Equivalent Student	

393 for Academic Technical Support (%) Increase by 2%

394 STUDENT SERVICES

395 Increase the Expenditures of

396 Unrestricted E & G Funds for

397 Undergraduate Admissions/

398 Records (%) Increase by 1%

399 Increase the Expenditures of

400 Unrestricted E & G Funds for

401 Undergraduate Financial Aid (%) Increase by 1%

402 INSTITUTIONAL SUPPORT

403 Increase the Expenditures of

404 Unrestricted E & G Funds for

405 Institutional Support per Fall

406 Full Time Equivalent Student (%) Increase by 1%

407 OPERATION AND MAINTENANCE

408 Increase the Expenditures of

409 Unrestricted E & G Funds for

410 Upkeep Cost per Acre of Grounds

411 (core on- and off-campus)

412 Maintained (%) Increase by 0.5%

413 Increase the Expenditures of

414 Unrestricted E & G Funds for

415 Operation and Maintenance Cost

416 per Square Feet of Building

417 (on- and off-campus) (%) Increase by 0.5%

418 SCHOLARSHIPS

419 Change in Number of Students

420 Receiving Scholarship Dollars

421 from Unrestricted E & G Funds

422 (%) Maintain Current

423 Level - Change of 0%

424 Change in Amount of Scholarship

425 Dollars Awarded from Unrestricted

426 E & G Funds (%) Maintain Current
427 Level - Change of 0%

428 A reporting of the degree to which the performance targets
429 set above have been or are being achieved shall be provided in the
430 agency's budget request submitted to the Joint Legislative Budget
431 Committee for Fiscal Year 2001.

432 SECTION 19. The money herein appropriated shall be paid by
433 the State Treasurer out of any money in the State Treasury to the
434 credit of the proper fund or funds as set forth in this act, upon
435 warrants issued by the State Fiscal Officer; and the State Fiscal
436 Officer shall issue his warrants upon requisitions signed by the
437 proper person, officer or officers in the manner provided by law.

438 SECTION 20. This act shall take effect and be in force from
439 and after July 1, 1999.