

*****Pending*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 3136

By Representative(s) Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

8 SECTION 1. The following sums of money, or so much thereof
9 as may be necessary, are hereby appropriated out of any money in
10 the State General Fund not otherwise appropriated, to the Board of
11 Trustees of State Institutions of Higher Learning for the purpose
12 of support, maintenance, affirmative action plan, interest funds
13 and repairs at the state-supported institutions of higher
14 learning; for support of Mississippi State University, Mississippi
15 State Chemical Laboratory, Water Resources Institute, The
16 University of Mississippi, Mississippi Law Research Institute,
17 Teacher Corps, Jackson State University Urban Research Center,
18 Mississippi Mineral Resources Research Institute, Research
19 Institute of Pharmaceutical Sciences, the Supercomputer, the
20 Stennis Institute of Government, Mississippi University for Women,
21 University of Southern Mississippi, Gulf Coast Research
22 Laboratory, Polymer Institute, Small Business Development Center,
23 Stennis Center for Higher Learning, Space Commerce Initiative,
24 Delta State University, Alcorn State University, Jackson State
25 University, Mississippi Valley State University, the Commission
26 for Volunteer Services and the executive office of the board of
27 trustees for the fiscal year beginning July 1, 1999, and ending
28 June 30, 2000..... \$ 309,490,227.00.

29 SECTION 2. The following sums of money, or so much thereof
30 as may be necessary, are hereby appropriated out of the proceeds
31 from any federal, student fees or other special source funds not
32 otherwise appropriated, to the Board of Trustees of State
33 Institutions of Higher Learning for the purpose of support of
34 Mississippi State University, Mississippi State Chemical
35 Laboratory, Water Resources Institute, Mississippi Alcohol Safety
36 Education Program, The University of Mississippi, Mississippi Law
37 Research Institute, Mississippi Small Business Development Center,
38 Mississippi Mineral Resources Research Institute, Research
39 Institute of Pharmaceutical Sciences, the Supercomputer,
40 Mississippi University for Women, University of Southern
41 Mississippi, Stennis Space Center's Center for Higher Learning,
42 Gulf Coast Research Laboratory, Polymer Institute, Delta State
43 University, Alcorn State University, Jackson State University,
44 Jackson State University Urban Research Center, Mississippi Valley
45 State University, the Commission for Volunteer Services and the
46 executive office of the board of trustees for the fiscal year
47 beginning July 1, 1999, and ending June 30, 2000.....
48 \$ 353,153,028.00.

49 SECTION 3. The following sum, or so much thereof as may be
50 necessary, is hereby appropriated out of any money in the State
51 Treasury to the credit of the:
52 Mississippi Alcohol Safety Education Program. . . \$ 150,000.00.
53 State Court Education Program \$1,939,779.00.
54 for the purpose of defraying the expenses incurred by said
55 programs for the fiscal year beginning July 1, 1999, and ending
56 June 30, 2000.

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

61 Alcorn State University. \$300,000.00
62 Jackson State University \$300,000.00
63 Mississippi Valley State University. . . \$300,000.00

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

- 69 (1) Support:
 - 70 (a) From State General Funds, for support
71 of Mississippi State University, the
72 University of Mississippi, Mississippi
73 University for Women, University of
74 Southern Mississippi, Delta State University,
75 Alcorn State University, Jackson State
76 University and Mississippi Valley State
77 University, for the sum.....\$ 290,264,069.00.
 - 78 (b) From State General Funds, for the support of
79 Executive Office of the Board of Trustees for
80 the sum of\$ 2,932,682.00.
81 Mississippi State Chemical Laboratory for the
82 sum of.....\$ 1,526,488.00.
83 Mississippi Water Resources Institute for the
84 sum of.....\$ 120,679.00.
85 Mississippi Law Research Institute for the
86 sum of.....\$ 520,242.00.
87 Mississippi Mineral Resources Institute for
88 the sum of.....\$ 566,759.00.
89 Research Institute of Pharmaceutical Sciences
90 for the sum of.....\$ 4,741,299.00.
91 Jackson State University Urban Research
92 Center for the sum of.....\$ 387,567.00.

93 Gulf Coast Research Laboratory for the
 94 sum of.....\$ 3,665,087.00.
 95 Supercomputer for the sum
 96 of.....\$ 1,950,664.00.
 97 Mississippi Polymer Institute for
 98 the sum of.....\$ 600,549.00.
 99 Mississippi Small Business
 100 Development Center for the
 101 sum of.....\$ 529,025.00.
 102 Stennis Space Center - Center for Higher
 103 Learning for the sum of.....\$ 327,194.00.
 104 Stennis Institute of Government for the
 105 sum of\$ 248,537.00.
 106 Commission for Volunteer Services for
 107 the sum of.....\$ 109,386.00.
 108 Stennis Space Center - Space Commerce
 109 Initiative for the sum of....\$ 1,000,000.00.

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

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

123 (c) From special funds, the following sum,
 124 or so much thereof as may be necessary,

125 is hereby authorized out of the proceeds
126 derived from any federal funds, student
127 fees or other special source funds
128 which are collected by or otherwise
129 become available for the support and
130 maintenance of the eight (8) universities,
131 institutes, laboratories, programs and
132 executive office of the board of trustees....
133\$353,153,028.00.

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

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

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

157 charges.
158 (e) Of the funds appropriated in Section 1 and
159 allocated in Section 5(1)(a), the amount of
160 One Hundred Fifty-seven Thousand Five Hundred
161 Dollars (\$157,500.00) shall be used for the
162 promotion and expenses of the Mississippi
163 Governor's School for the Gifted and
164 Talented.

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

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

187 (f) Of the funds appropriated in Section 1 and
188 allocated in Section 5(1)(a), the amount of

189 Two Hundred Thousand Dollars (\$200,000.00)
190 shall be used for the promotion and expenses
191 of the Teacher Corps.

192 (g) It is the intent of the Legislature that
193 no general funds authorized to be expended
194 herein shall be used to replace federal funds
195 and/or other special funds which are being used
196 for salaries authorized under the provisions of
197 this act and which are withdrawn and no longer
198 available.

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

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

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

219 (b) For the University of Mississippi as
220 interest on original seminary fund, the

221 sum of.....\$ 32,643.00.

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

225 (d) For the University of Mississippi as
226 interest on LaBauve Fund, the sum
227 of.....\$ 1,420.00.

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

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

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

242 On-campus and off-campus support of Mississippi
243 State University, the University of Mississippi,
244 Mississippi University for Women, University of
245 Southern Mississippi, Delta State University, Alcorn
246 State University, Jackson State University, and
247 Mississippi Valley State University to be allocated
248 in the same manner as in Fiscal Year 1999 for the
249 sum of \$ 26,982,223.00.
250 Salary increases for on-campus and off-campus
251 faculty and staff of Mississippi State University,
252 the University of Mississippi, Mississippi University

253 for Women, University of Southern Mississippi, Delta State
 254 University, Alcorn State University, Jackson State
 255 University, and Mississippi Valley State University for
 256 the sum of \$ 3,262,415.00.
 257 Executive Office of the Board of Trustees
 258 for the sum of.....\$ 156,400.00.
 259 Mississippi State Chemical Laboratory for the
 260 sum of.....\$ 170,100.00.
 261 Mississippi Water Resources Institute for
 262 the sum of.....\$ 9,200.00.
 263 Mississippi Law Research Institute for
 264 the sum of.....\$ 35,000.00.
 265 Mississippi Mineral Resources Institute
 266 for the sum of.....\$ 25,300.00.
 267 Research Institute of Pharmaceutical
 268 Sciences for the sum of.....\$ 105,800.00.
 269 Stennis Institute of Government for the sum
 270 of.....\$ 49,000.00.
 271 Commission on Volunteer Services for
 272 the sum of.....\$ 97,000.00.
 273 Gulf Coast Research Laboratory for the
 274 sum of.....\$ 207,000.00.
 275 TOTAL.....\$ 31,099,438.00.

276 SECTION 7. Of the funds appropriated in Section 2 and
 277 authorized for expenditure in Section 5(1)(c), the following
 278 amounts shall be derived from Education Enhancement Funds
 279 deposited pursuant to Section 27-103-203(1), Mississippi Code of
 280 1972:

281 On-campus and off-campus support of Mississippi
 282 State University, the University of Mississippi,
 283 Mississippi University for Women, University of
 284 Southern Mississippi, Delta State University,

285 Alcorn State University, Jackson State University,
 286 and Mississippi Valley State University to be
 287 allocated in the same manner as in Fiscal Year 1999
 288 for the sum of..... \$ 16,431,096.00.
 289 On-campus and off-campus support of Mississippi
 290 State University, the University of Mississippi,
 291 Mississippi University for Women, University of
 292 Southern Mississippi, Delta State University,
 293 Alcorn State University, Jackson State University,
 294 and Mississippi Valley State University to be
 295 allocated based upon the Fiscal Year 2000 requests,
 296 the sum of \$ 991,609.00.
 297 Salary increases for on-campus and off-campus faculty
 298 and staff of Mississippi State University, the University
 299 of Mississippi, Mississippi University for Women,
 300 University of Southern Mississippi, Delta State University,
 301 Alcorn State University, Jackson State University, and
 302 Mississippi Valley State University for the sum of.....
 303 \$ 4,107,880.00.
 304 Stennis Institute of Government, for the
 305 sum of.....\$ 20,000.00.
 306 TOTAL.....\$ 21,550,585.00.

307 SECTION 8. Of the funds appropriated in Sections 1, 2 and 4
 308 and authorized for expenditure in Sections 4, 5 (1) (a) and 7, the
 309 following amount, or so much thereof as may be necessary, shall be
 310 expended by the Board of Trustees of State Institutions of Higher
 311 Learning for the purpose of defraying the costs associated with
 312 Ayers-related programs at Alcorn State University, Jackson State
 313 University and Mississippi Valley State University, the
 314 court-appointed monitor, interest on the Ayers Endowment Fund and
 315 Ayers-related studies..... \$ 11,172,908.00.

316 SECTION 9. It is the intention of the Legislature that the

317 Board of Trustees of State Institutions of Higher Learning shall
318 first use special funds to the greatest extent possible to defray
319 the costs of providing remediation at the state-supported
320 institutions of higher learning.

321 SECTION 10. None of the funds appropriated by this act shall
322 be expended for any purpose that is not actually required or
323 necessary for performing any of the powers or duties of the Board
324 of Trustees of State Institutions of Higher Learning, or any of
325 the powers or duties of any institution under the jurisdiction of
326 the board of trustees, that are authorized by the Mississippi
327 Constitution of 1890, state or federal law, or rules or
328 regulations that implement state or federal law.

329 SECTION 11. The Board of Trustees of State Institutions of
330 Higher Learning shall submit to the Committee on Appropriations of
331 both houses of the Mississippi Legislature by January 1, 2000, a
332 consolidated report for all the several institutions under its
333 jurisdiction, on forms and in a manner to be prescribed by the
334 Legislative Budget Committee, which reflects the anticipated
335 current restricted fund revenues for the 2000 fiscal year, and the
336 budgeted use of such current restricted funds by major object
337 category. For purposes of this section, the term "current
338 restricted funds" shall be defined as those public funds available
339 for financing university operations which are limited by the
340 donor, or by an agency external to the Board of Trustees of State
341 Institutions of Higher Learning, to specific purposes, programs,
342 departments or schools, but shall not include endowment funds or
343 private gifts exempted under the provisions of Section 27-103-5,
344 Mississippi Code of 1972.

345 SECTION 12. It is the intention of the Legislature that the
346 budget requests of the individual institutes, laboratories and
347 programs consolidated in this bill for Fiscal Year 2001 shall be
348 submitted to the Joint Legislative Budget Committee in a format

349 and level of detail comparable to the format and level of detail
350 provided during the Fiscal Year 2000 budget request process.

351 SECTION 13. It is the intention of the Legislature that the
352 Board of Trustees of State Institutions of Higher Learning
353 continue to review, and eliminate when possible, duplicating
354 programs and degrees in the existing institutions of higher
355 learning in this state.

356 SECTION 14. No state appropriations or student tuition and
357 fee receipts, except those specifically charged for the provision
358 of the services, shall be used to support auxiliary enterprises,
359 with the exception of intercollegiate athletics at a level
360 designated by the board of trustees. It is the intent of the
361 Legislature that auxiliary enterprises shall be self-supporting;
362 and that deficits not be taken from funds intended for instruction
363 and academic programs.

364 SECTION 15. However, none of the funds herein appropriated
365 shall be spent to defray tuition cost or subsidize in any way the
366 direct cost of education, ordinarily paid by the student, of any
367 nonresident alien enrolled in any state-supported institution of
368 higher learning in the State of Mississippi. However, this will
369 not apply to any nonresident alien student if the United States
370 has a reciprocal agreement with their country on subsidizing the
371 education of a United States citizen student.

372 SECTION 16. The Board of Trustees shall report yearly to the
373 Legislature the institution compliance with Section 97-11-51,
374 Mississippi Code of 1972, which prohibits deficit spending.

375 SECTION 17. Any funds appropriated pursuant to this act and
376 paid as a fee to or deposited in a financial institution shall be
377 in compliance with Section 109 of the Constitution of the State of
378 Mississippi and Section 25-4-103, Mississippi Code of 1972.

379 SECTION 18. Should revenues generated and deposited to the
380 Education Enhancement Fund pursuant to Section 27-103-203(1),

381 Mississippi Code of 1972, fall below funds appropriated herein
382 from said source, the Board of Trustees of State Institutions of
383 Higher Learning shall notify the Department of Finance and
384 Administration as to which allotments shall be reduced to insure
385 that expenditures do not exceed actual revenues.

386 SECTION 19. In compliance with the "Mississippi Performance
387 Budget and Strategic Planning Act of 1994," it is the intent of
388 the Legislature that the funds provided herein shall be utilized
389 in the most efficient and effective manner possible to achieve the
390 intended mission of this agency. Based on the funding authorized,
391 this agency shall make every effort to attain the targeted
392 performance measures provided below:

393	<u>Performance Measures</u>	<u>FY2000 Target</u>
394	INSTRUCTION	
395	Maintain a Freshman (first time,	
396	full time) Cohort Retention	
397	Rate from Fall to Fall that	
398	is 70% or above (%)	70%
399	Maintain a Freshman (first time,	
400	full time) Cohort Undergraduate	
401	Graduation Rate after Six	
402	Years that Is 40% or above (%)	40%
403	Increase in Other Race Personnel	
404	with Academic Rank (%)	Increase by 1%
405	Increase in Number of Personnel with	
406	Academic Rank who hold Terminal	
407	Degrees (Includes Doctorate and	
408	First Professional Degrees) (%)	Increase by 1%
409	RESEARCH	
410	Change in Expenditures of Unrestricted	
411	E & G Funds for Research (%)	Increase by 1%
412	PUBLIC SERVICE	

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413 Change in Expenditures of Unrestricted
414 E & G Funds for Public Service (%) Increase by 1%

415 ACADEMIC SUPPORT

416 Strive to Reach the Average
417 Expenditures for Libraries as
418 listed in the American Library
419 Association Standards for Academic
420 and Research Libraries (%) Increase by 0.5%

421 Increase the Expenditure of
422 unrestricted E & G Funds per
423 Fall Full Time Equivalent Student
424 for Academic Technical Support (%) Increase by 2%

425 STUDENT SERVICES

426 Increase the Expenditures of
427 Unrestricted E & G Funds for
428 Undergraduate Admissions/
429 Records (%) Increase by 1%

430 Increase the Expenditures of
431 Unrestricted E & G Funds for
432 Undergraduate Financial Aid (%) Increase by 1%

433 INSTITUTIONAL SUPPORT

434 Increase the Expenditures of
435 Unrestricted E & G Funds for
436 Institutional Support per Fall
437 Full Time Equivalent Student (%) Increase by 1%

438 OPERATION AND MAINTENANCE

439 Increase the Expenditures of
440 Unrestricted E & G Funds for
441 Upkeep Cost per Acre of Grounds
442 (core on- and off-campus)
443 Maintained (%) Increase by 0.5%

444 Increase the Expenditures of

445 Unrestricted E & G Funds for
 446 Operation and Maintenance Cost
 447 per Square Feet of Building
 448 (on- and off-campus) (%) Increase by 0.5%
 449 SCHOLARSHIPS
 450 Change in Number of Students
 451 Receiving Scholarship Dollars
 452 from Unrestricted E & G Funds
 453 (%) Maintain Current
 454 Level - Change of 0%
 455 Change in Amount of Scholarship
 456 Dollars Awarded from Unrestricted
 457 E & G Funds (%) Maintain Current
 458 Level - Change of 0%

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

463 SECTION 20. The money herein appropriated shall be paid by
 464 the State Treasurer out of any money in the State Treasury to the
 465 credit of the proper fund or funds as set forth in this act, upon
 466 warrants issued by the State Fiscal Officer; and the State Fiscal
 467 Officer shall issue his warrants upon requisitions signed by the
 468 proper person, officer or officers, in the manner provided by law.

469 SECTION 21. This act shall take effect and be in force from
 470 and after July 1, 1999.