

By: Gordon, Thames, Burton, Frazier, Chaney, To: Appropriations
Dawkins, Dearing, Farris, Posey, Scoper

SENATE BILL NO. 3256

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 2001; AND FOR RELATED
6 PURPOSES.

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

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, University
16 of Mississippi, Mississippi Law Research Institute, Teacher
17 Corps, Jackson State University Urban Research Center, Mississippi
18 Mineral Resources Research Institute, Research Institute of
19 Pharmaceutical Sciences, the Supercomputer, the Stennis Institute
20 of Government, Mississippi University for Women, University of
21 Southern Mississippi, Gulf Coast Research Laboratory, Polymer
22 Institute, Small Business Development Center, Stennis Center for
23 Higher Learning, Delta State University, Alcorn State University,
24 Jackson State University, Mississippi Valley State University, the
25 Commission for Volunteer Services and the executive office of the
26 board of trustees for the fiscal year beginning July 1, 2000, and
27 ending June 30, 2001.....\$ 323,779,413.00.

28 SECTION 2. The following sums of money, or so much thereof

29 as may be necessary, are hereby appropriated out of the proceeds
30 from any federal, student fees or other special source funds not
31 otherwise appropriated, to the Board of Trustees of State
32 Institutions of Higher Learning for the purpose of support of
33 Mississippi State University, Mississippi State Chemical
34 Laboratory, Water Resources Institute, Mississippi Alcohol Safety
35 Education Program, Stennis Institute of Government, University of
36 Mississippi, Mississippi Law Research Institute, Mississippi Small
37 Business Development Center, Mississippi Mineral Resources
38 Research Institute, Research Institute of Pharmaceutical Sciences,
39 the Supercomputer, Mississippi University for Women, University of
40 Southern Mississippi, Stennis Space Center's Center for Higher
41 Learning, Gulf Coast Research Laboratory, Polymer Institute, Delta
42 State University, Alcorn State University, Jackson State
43 University, Jackson State University Urban Research Center,
44 Mississippi Valley State University, the Commission for Volunteer
45 Services and the executive office of the board of trustees for the
46 fiscal year beginning July 1, 2000, and ending June 30, 2001.....
47\$ 366,038,063.00.

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

51 Mississippi Alcohol Safety Education Program. . . \$ 150,000.00.
52 State Court Education Program \$2,005,703.00.

53 for the purpose of defraying the expenses incurred by said
54 programs for the fiscal year beginning July 1, 2000, and ending
55 June 30, 2001.

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

60 Alcorn State University. \$300,000.00
61 Jackson State University \$300,000.00

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

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

68 (1) Support:

69 (a) From State General Funds, for support
70 of Mississippi State University, the
71 University of Mississippi, Mississippi
72 University for Women, University of
73 Southern Mississippi, Delta State University,
74 Alcorn State University, Jackson State
75 University and Mississippi Valley State
76 University, for the sum.....\$ 304,744,551.00.

77 (b) From State General Funds, for the support of
78 Executive Office of the Board of Trustees for
79 the sum of.....\$ 2,963,652.00.
80 Mississippi State Chemical Laboratory for the
81 sum of.....\$ 1,540,135.00.
82 Mississippi Water Resources Institute for the
83 sum of.....\$ 120,679.00.
84 Mississippi Law Research Institute for the
85 sum of.....\$ 725,105.00.
86 Mississippi Mineral Resources Institute for
87 the sum of.....\$ 571,281.00.
88 Research Institute of Pharmaceutical Sciences
89 for the sum of.....\$ 4,866,714.00.
90 Jackson State University Urban Research
91 Center for the sum of.....\$ 390,206.00.
92 Gulf Coast Research Laboratory for the
93 sum of.....\$ 3,817,711.00.
94 Supercomputer for the sum

95 of.....\$ 1,956,317.00.
 96 Mississippi Polymer Institute for
 97 the sum of.....\$ 604,362.00.
 98 Mississippi Small Business
 99 Development Center for the
 100 sum of.....\$ 530,460.00.
 101 Stennis Space Center - Center for Higher
 102 Learning for the sum of.....\$ 501,179.00.
 103 Stennis Institute of Government for the
 104 sum of.....\$ 336,149.00.
 105 Commission for Volunteer Services for
 106 the sum of.....\$ 110,912.00.

107 Of the funds appropriated under the provisions of Section 1,
 108 and allocated to the Gulf Coast Research Laboratory, the Board of
 109 Trustees of State Institutions of Higher Learning shall allocate
 110 for Sea Grants matching One Hundred Seventy-five Thousand Dollars
 111 (\$175,000.00) for the Fiscal Year 2001.

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

120 (c) From special funds, the following sum,
 121 or so much thereof as may be necessary,
 122 is hereby authorized out of the proceeds
 123 derived from any federal funds, student
 124 fees or other special source funds
 125 which are collected by or otherwise
 126 become available for the support and
 127 maintenance of the eight (8) universities,

128 institutes, laboratories, programs and
129 executive office of the board of trustees....
130\$366,038,063.00.

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

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

151 It is the intent of the Legislature that
152 the on-campus operations charge the
153 off-campus centers with only actual direct
154 charges.

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

161 Talented.

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

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

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

189 (g) It is the intent of the Legislature that
190 no general funds authorized to be expended
191 herein shall be used to replace federal funds
192 and/or other special funds which are being used
193 for salaries authorized under the provisions of

194 this act and which are withdrawn and no longer
195 available.

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

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

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

216 (b) For the University of Mississippi as
217 interest on original seminary fund, the
218 sum of.....\$ 32,643.00.

219 (c) For the University of Mississippi as
220 interest on 1904 land grant fund, the
221 sum of.....\$ 9,965.00.

222 (d) For the University of Mississippi as
223 interest on LaBauve Fund, the sum
224 of.....\$ 1,420.00.

225 (e) For Mississippi University for Women
226 as interest on funds paid into the

227 State Treasury as proceeds of sale of
 228 land donated to the Industrial Institute
 229 and College by the United States
 230 Government, the sum of.....\$ 9,389.00.
 231 (f) For Alcorn State University as interest
 232 on land script and land sales funds,
 233 the sum of.....\$ 12,592.00.
 234 SECTION 6. Of the funds appropriated in Section 2 and
 235 authorized for expenditure in Section 5(1)(c), the following
 236 amounts shall be derived from Education Enhancement Funds
 237 deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi
 238 Code of 1972:
 239 On-campus and off-campus support of Mississippi
 240 State University, the University of Mississippi,
 241 Mississippi University for Women, University of
 242 Southern Mississippi, Delta State University, Alcorn
 243 State University, Jackson State University, and
 244 Mississippi Valley State University for
 245 the sum of.....\$ 34,070,439.00.
 246 Executive Office of the Board of Trustees
 247 for the sum of.....\$ 256,400.00.
 248 Mississippi State Chemical Laboratory for the
 249 sum of.....\$ 170,100.00.
 250 Mississippi Water Resources Institute for
 251 the sum of.....\$ 9,200.00.
 252 Mississippi Law Research Institute for
 253 the sum of.....\$ 57,803.00.
 254 Mississippi Mineral Resources Institute
 255 for the sum of.....\$ 25,300.00.
 256 Research Institute of Pharmaceutical
 257 Sciences for the sum of.....\$ 105,800.00.
 258 Stennis Institute of Government for the sum
 259 of.....\$ 49,000.00.

260 Commission on Volunteer Services for
 261 the sum of.....\$ 184,000.00.
 262 Stennis Space Center - Center for Higher
 263 Learning for the sum of\$ 200,000.00.
 264 Gulf Coast Research Laboratory for the
 265 sum of.....\$ 207,000.00.
 266 TOTAL.....\$ 35,335,042.00.

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

272 On-campus and off-campus support of Mississippi
 273 State University, the University of Mississippi,
 274 Mississippi University for Women, University of
 275 Southern Mississippi, Delta State University,
 276 Alcorn State University, Jackson State University,
 277 and Mississippi Valley State University for the
 278 sum of.....\$ 7,385,406.00.
 279 Stennis Institute of Government, for the sum of
 280\$ 10,467.00.
 281 TOTAL.....\$ 7,395,873.00.

282 SECTION 8. Of the funds appropriated in Sections 1, 2 and 4
 283 and authorized for expenditure in Sections 4, 5 (1) (a) and 7, the
 284 following amount, or so much thereof as may be necessary, shall be
 285 expended by the Board of Trustees of State Institutions of Higher
 286 Learning for the purpose of defraying the costs associated with
 287 Ayers-related programs at Alcorn State University, Jackson State
 288 University and Mississippi Valley State University, the
 289 court-appointed monitor, interest on the Ayers Endowment Fund and
 290 Ayers-related studies or any other Ayers-related activities.....
 291\$ 18,372,908.00.

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

293 Board of Trustees of State Institutions of Higher Learning shall
294 first use special funds to the greatest extent possible to defray
295 the costs of providing remediation at the state-supported
296 institutions of higher learning.

297 SECTION 10. None of the funds appropriated by this act shall
298 be expended for any purpose that is not actually required or
299 necessary for performing any of the powers or duties of the Board
300 of Trustees of State Institutions of Higher Learning, or any of
301 the powers or duties of any institution under the jurisdiction of
302 the board of trustees, that are authorized by the Mississippi
303 Constitution of 1890, state or federal law, or rules or
304 regulations that implement state or federal law.

305 SECTION 11. The Board of Trustees of State Institutions of
306 Higher Learning shall submit to the Committee on Appropriations of
307 both houses of the Mississippi Legislature by January 1, 2001, a
308 consolidated report for all the several institutions under its
309 jurisdiction, on forms and in a manner to be prescribed by the
310 Legislative Budget Committee, which reflects the anticipated
311 current restricted fund revenues for the 2001 fiscal year, and the
312 budgeted use of such current restricted funds by major object
313 category. For purposes of this section, the term "current
314 restricted funds" shall be defined as those public funds available
315 for financing university operations which are limited by the
316 donor, or by an agency external to the Board of Trustees of State
317 Institutions of Higher Learning, to specific purposes, programs,
318 departments or schools, but shall not include endowment funds or
319 private gifts exempted under the provisions of Section 27-103-5,
320 Mississippi Code of 1972.

321 SECTION 12. It is the intention of the Legislature that the
322 budget requests of the individual institutes, laboratories and
323 programs consolidated in this bill for Fiscal Year 2002 shall be
324 submitted to the Joint Legislative Budget Committee in a format
325 and level of detail comparable to the format and level of detail

326 provided during the Fiscal Year 2001 budget request process.

327 SECTION 13. It is the intention of the Legislature that the
328 Board of Trustees of State Institutions of Higher Learning
329 continue to review, and eliminate when possible, duplicating
330 programs and degrees in the existing institutions of higher
331 learning in this state.

332 SECTION 14. No state appropriations or student tuition and
333 fee receipts, except those specifically charged for the provision
334 of the services, shall be used to support auxiliary enterprises,
335 with the exception of intercollegiate athletics at a level
336 designated by the board of trustees. It is the intent of the
337 Legislature that auxiliary enterprises shall be self-supporting;
338 and that deficits not be taken from funds intended for instruction
339 and academic programs.

340 SECTION 15. However, none of the funds herein appropriated
341 shall be spent to defray tuition cost or subsidize in any way the
342 direct cost of education, ordinarily paid by the student, of any
343 nonresident alien enrolled in any state-supported institution of
344 higher learning in the State of Mississippi. However, this will
345 not apply to any nonresident alien student if the United States
346 has a reciprocal agreement with their country on subsidizing the
347 education of a United States citizen student.

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

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

355 SECTION 18. Should revenues generated and deposited to the
356 Education Enhancement Fund pursuant to Section 27-103-203(1),
357 Mississippi Code of 1972, fall below funds appropriated herein
358 from said source, the Board of Trustees of State Institutions of

359 Higher Learning shall notify the Department of Finance and
360 Administration as to which allotments shall be reduced to insure
361 that expenditures do not exceed actual revenues.

362 SECTION 19. In compliance with the "Mississippi Performance
363 Budget and Strategic Planning Act of 1994," it is the intent of
364 the Legislature that the funds provided herein shall be utilized
365 in the most efficient and effective manner possible to achieve the
366 intended mission of this agency. Based on the funding authorized,
367 this agency shall make every effort to attain the targeted
368 performance measures provided below:

	FY2001
<u>Performance Measures</u>	<u>Target</u>
371 Instruction	
372 Maintain a Freshman (first-time, full-time)	
373 Cohort Retention rate from fall to fall	
374 that is 70% or above (%)	70.00
375 Maintain a Freshman (first-time, full-time)	
376 Cohort Graduation rate after six years	
377 that is 40% or above (%)	40.00
378 Increase in Other Race Personnel with	
379 Academic Rank (%)	1.00
380 Increase in Number of Personnel with	
381 Academic Rank who hold Terminal Degrees	
382 (Includes Doctorate & First Professional	
383 Degrees) (%)	1.00
384 Research	
385 Change in Expenditures of Unrestricted	
386 E&G Funds for Research (%)	1.00
387 Academic Support	
388 Strive to Reach the Average Expenditure for	
389 Libraries as listed in the American	
390 Library Association Standards for Academic	
391 & Research Libraries (%)	0.50

392	Increase the Expenditures of Unrestricted	
393	E&G Funds per Fall Full-time Equivalent	
394	Student for Academic Technical Support (%)	2.00
395	Student Services	
396	Increase the Expenditures of Unrestricted	
397	E&G Funds for Undergraduate Admissions &	
398	Records (%)	1.00
399	Increase the Expenditures of Unrestricted	
400	E&G Funds for Undergraduate Financial	
401	Aid (%)	1.00
402	Institutional Support	
403	Increase the Expenditures of Unrestricted	
404	E&G Funds for Institutional Support per	
405	Fall Full-time Equivalent Student (%)	1.00
406	Operation & Maintenance	
407	Increase the Expenditures of Unrestricted E&G	
408	Funds for Upkeep Cost per Acre of Grounds	
409	(core on- and off-campus) Maintained (%)	0.50
410	Increase the Expenditures of Unrestricted E&G	
411	Funds for Operation and Maintenance Cost	
412	per Square Feet of Building (on- and off-	
413	campus) (%)	0.50
414	Scholarships & Fellowships	
415	Change in Number of Students Receiving	
416	Scholarship dollars from Unrestricted	
417	E&G funds (%)	0
418	Change in Amount of Scholarship Dollars	
419	Awarded from Unrestricted E&G Funds (%)	0
420	Public Service	
421	Change in Expenditures of Unrestricted E&G	
422	Funds for Public Service (%)	1.00
423	A reporting of the degree to which the performance targets	
424	set above have been or are being achieved shall be provided in the	

425 agency's budget request submitted to the Joint Legislative Budget
426 Committee for Fiscal Year 2002.

427 SECTION 20. Of the funds appropriated under the provisions
428 of this act, the Board of Trustees of State Institutions of Higher
429 Learning may expend out of these funds such sums as may be
430 necessary to provide transportation and transportation related
431 services, including the operation or use of buses, vans or other
432 vehicles owned or leased by the Board of Trustees of State
433 Institutions of Higher Learning in support of the annual meeting
434 of the Southern Legislative Conference hosted by the State of
435 Mississippi.

436 SECTION 21. The money herein appropriated shall be paid by
437 the State Treasurer out of any money in the State Treasury to the
438 credit of the proper fund or funds as set forth in this act, upon
439 warrants issued by the State Fiscal Officer; and the State Fiscal
440 Officer shall issue his warrants upon requisitions signed by the
441 proper person, officer or officers, in the manner provided by law.

442 SECTION 22. This act shall take effect and be in force from
443 and after July 1, 2000.