

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

SENATE BILL NO. 3256  
(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 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.