

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

SENATE BILL NO. 3256
(As Sent to Governor)

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.....\$ 331,476,447.00.

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\$ 365,994,363.00.

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 \$2,010,834.00.

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.....\$ 307,090,435.00.

77 (b) From State General Funds, for the support of
78 Executive Office of the Board of Trustees for
79 the sum of.....\$ 2,978,331.00.
80 Mississippi State Chemical Laboratory for the
81 sum of.....\$ 1,549,729.00.
82 Mississippi Water Resources Institute for the
83 sum of.....\$ 120,679.00.
84 Mississippi Law Research Institute for the
85 sum of.....\$ 728,502.00.
86 Mississippi Mineral Resources Institute for
87 the sum of.....\$ 575,227.00.
88 Research Institute of Pharmaceutical Sciences
89 for the sum of.....\$ 4,896,758.00.
90 Jackson State University Urban Research
91 Center for the sum of.....\$ 391,718.00.
92 Gulf Coast Research Laboratory for the
93 sum of.....\$ 3,844,549.00.
94 Supercomputer for the sum

95 of.....\$ 1,958,230.00.
 96 Mississippi Polymer Institute for
 97 the sum of.....\$ 606,129.00.
 98 Mississippi Small Business
 99 Development Center for the
 100 sum of.....\$ 532,373.00.
 101 Stennis Space Center - Center for Higher
 102 Learning for the sum of.....\$ 502,442.00.
 103 Stennis Institute of Government for the
 104 sum of.....\$ 338,417.00.
 105 Commission for Volunteer Services for
 106 the sum of.....\$ 112,928.00.
 107 Mississippi State University for equity funding for
 108 the sum of.....\$ 2,000,000.00.
 109 University of Mississippi for equity funding for
 110 the sum of.....\$ 1,000,000.00.
 111 University of Southern Mississippi for equity
 112 funding for the sum of.....\$ 2,000,000.00.
 113 Delta State University for the Greenville Higher
 114 Education Center for the sum of\$ 250,000.00.

115 Of the funds appropriated under the provisions of Section 1,
 116 and allocated to the Gulf Coast Research Laboratory, the Board of
 117 Trustees of State Institutions of Higher Learning shall allocate
 118 for Sea Grants matching One Hundred Seventy-five Thousand Dollars
 119 (\$175,000.00) for the Fiscal Year 2001.

120 Provided further, it is the intention of the Legislature, in
 121 the event budget reductions are imposed on the Gulf Coast Research
 122 Laboratory by the Board of Trustees of State Institutions of
 123 Higher Learning, as a result of the Governor ordering budget
 124 reductions under the provisions of Sections 27-104-13 or
 125 31-17-123, Mississippi Code of 1972, the same percent reduction
 126 will be applied to those state funds identified in this section
 127 for Sea Grant match.

128 (c) From special funds, the following sum,
129 or so much thereof as may be necessary,
130 is hereby authorized out of the proceeds
131 derived from any federal funds, student
132 fees or other special source funds
133 which are collected by or otherwise
134 become available for the support and
135 maintenance of the eight (8) universities,
136 institutes, laboratories, programs and
137 executive office of the board of trustees....
138\$365,944,363.00.

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

155 (d) The board of trustees shall insure that
156 the off-campus centers are not charged
157 with any indirect or overhead cost
158 prorated from any on-campus activity.
159 It is the intent of the Legislature that
160 the on-campus operations charge the

161 off-campus centers with only actual direct
162 charges.

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

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

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

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

194 Two Hundred Twenty-five Thousand Dollars
195 (\$225,000.00) shall be used for the promotion
196 and expenses of the Teacher Corps.

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

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

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

220 (a) For Mississippi State University as interest
221 on agricultural land script fund and
222 interest on sale of university land, the
223 sum of.....\$ 14,387.00.

224 (b) For the University of Mississippi as
225 interest on original seminary fund, the
226 sum of.....\$ 32,643.00.

227 (c) For the University of Mississippi as
228 interest on 1904 land grant fund, the
229 sum of.....\$ 9,965.00.

230 (d) For the University of Mississippi as
231 interest on LaBauve Fund, the sum
232 of.....\$ 1,420.00.

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

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

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

247 On-campus and off-campus support of Mississippi
248 State University, the University of Mississippi,
249 Mississippi University for Women, University of
250 Southern Mississippi, Delta State University, Alcorn
251 State University, Jackson State University, and
252 Mississippi Valley State University for
253 the sum of.....\$ 33,920,439.00.

254 Executive Office of the Board of Trustees
255 for the sum of.....\$ 256,400.00.

256 Mississippi State Chemical Laboratory for the
257 sum of.....\$ 170,100.00.

258 Mississippi Water Resources Institute for
259 the sum of.....\$ 9,200.00.

260 Mississippi Law Research Institute for
 261 the sum of.....\$ 57,803.00.
 262 Mississippi Mineral Resources Institute
 263 for the sum of.....\$ 25,300.00.
 264 Research Institute of Pharmaceutical
 265 Sciences for the sum of.....\$ 105,800.00.
 266 Stennis Institute of Government for the sum
 267 of.....\$ 149,000.00.
 268 Commission on Volunteer Services for
 269 the sum of.....\$ 184,000.00.
 270 Stennis Space Center - Center for Higher
 271 Learning for the sum of\$ 200,000.00.
 272 Gulf Coast Research Laboratory for the
 273 sum of.....\$ 207,000.00.
 274 TOTAL.....\$ 35,285,042.00.

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

280 On-campus and off-campus support of Mississippi
 281 State University, the University of Mississippi,
 282 Mississippi University for Women, University of
 283 Southern Mississippi, Delta State University,
 284 Alcorn State University, Jackson State University,
 285 and Mississippi Valley State University for the
 286 sum of.....\$ 7,385,406.00.
 287 Stennis Institute of Government, for the sum of
 288\$ 10,467.00.
 289 TOTAL.....\$ 7,395,873.00.

290 SECTION 8. Of the funds appropriated in Sections 1, 2 and 4
 291 and authorized for expenditure in Sections 4, 5 (1) (a) and 7, the
 292 following amount, or so much thereof as may be necessary, shall be

293 expended by the Board of Trustees of State Institutions of Higher
294 Learning for the purpose of defraying the costs associated with
295 Ayers-related programs at Alcorn State University, Jackson State
296 University and Mississippi Valley State University, the
297 court-appointed monitor, interest on the Ayers Endowment Fund and
298 Ayers-related studies or any other Ayers-related activities.....
299\$ 18,372,908.00.

300 SECTION 9. It is the intention of the Legislature that the
301 Board of Trustees of State Institutions of Higher Learning shall
302 first use special funds to the greatest extent possible to defray
303 the costs of providing remediation at the state-supported
304 institutions of higher learning.

305 SECTION 10. None of the funds appropriated by this act shall
306 be expended for any purpose that is not actually required or
307 necessary for performing any of the powers or duties of the Board
308 of Trustees of State Institutions of Higher Learning, or any of
309 the powers or duties of any institution under the jurisdiction of
310 the board of trustees, that are authorized by the Mississippi
311 Constitution of 1890, state or federal law, or rules or
312 regulations that implement state or federal law.

313 SECTION 11. The Board of Trustees of State Institutions of
314 Higher Learning shall submit to the Committee on Appropriations of
315 both houses of the Mississippi Legislature by January 1, 2001, a
316 consolidated report for all the several institutions under its
317 jurisdiction, on forms and in a manner to be prescribed by the
318 Legislative Budget Committee, which reflects the anticipated
319 current restricted fund revenues for the 2001 fiscal year, and the
320 budgeted use of such current restricted funds by major object
321 category. For purposes of this section, the term "current
322 restricted funds" shall be defined as those public funds available
323 for financing university operations which are limited by the
324 donor, or by an agency external to the Board of Trustees of State
325 Institutions of Higher Learning, to specific purposes, programs,

326 departments or schools, but shall not include endowment funds or
327 private gifts exempted under the provisions of Section 27-103-5,
328 Mississippi Code of 1972.

329 SECTION 12. It is the intention of the Legislature that the
330 budget requests of the individual institutes, laboratories and
331 programs consolidated in this bill for Fiscal Year 2002 shall be
332 submitted to the Joint Legislative Budget Committee in a format
333 and level of detail comparable to the format and level of detail
334 provided during the Fiscal Year 2001 budget request process.

335 SECTION 13. It is the intention of the Legislature that the
336 Board of Trustees of State Institutions of Higher Learning
337 continue to review, and eliminate when possible, duplicating
338 programs and degrees in the existing institutions of higher
339 learning in this state.

340 SECTION 14. No state appropriations or student tuition and
341 fee receipts, except those specifically charged for the provision
342 of the services, shall be used to support auxiliary enterprises,
343 with the exception of intercollegiate athletics at a level
344 designated by the board of trustees. It is the intent of the
345 Legislature that auxiliary enterprises shall be self-supporting;
346 and that deficits not be taken from funds intended for instruction
347 and academic programs.

348 SECTION 15. However, none of the funds herein appropriated
349 shall be spent to defray tuition cost or subsidize in any way the
350 direct cost of education, ordinarily paid by the student, of any
351 nonresident alien enrolled in any state-supported institution of
352 higher learning in the State of Mississippi. However, this will
353 not apply to any nonresident alien student if the United States
354 has a reciprocal agreement with their country on subsidizing the
355 education of a United States citizen student.

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

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

363 SECTION 18. Should revenues generated and deposited to the
364 Education Enhancement Fund pursuant to Section 27-103-203(1),
365 Mississippi Code of 1972, fall below funds appropriated herein
366 from said source, the Board of Trustees of State Institutions of
367 Higher Learning shall notify the Department of Finance and
368 Administration as to which allotments shall be reduced to insure
369 that expenditures do not exceed actual revenues.

370 SECTION 19. In compliance with the "Mississippi Performance
371 Budget and Strategic Planning Act of 1994," it is the intent of
372 the Legislature that the funds provided herein shall be utilized
373 in the most efficient and effective manner possible to achieve the
374 intended mission of this agency. Based on the funding authorized,
375 this agency shall make every effort to attain the targeted
376 performance measures provided below:

	FY2001
<u>Performance Measures</u>	<u>Target</u>
379 Instruction	
380 Maintain a Freshman (first-time, full-time)	
381 Cohort Retention rate from fall to fall	
382 that is 70% or above (%)	70.00
383 Maintain a Freshman (first-time, full-time)	
384 Cohort Graduation rate after six years	
385 that is 40% or above (%)	40.00
386 Increase in Other Race Personnel with	
387 Academic Rank (%)	1.00
388 Increase in Number of Personnel with	
389 Academic Rank who hold Terminal Degrees	
390 (Includes Doctorate & First Professional	
391 Degrees) (%)	1.00

392	Research	
393	Change in Expenditures of Unrestricted	
394	E&G Funds for Research (%)	1.00
395	Academic Support	
396	Strive to Reach the Average Expenditure for	
397	Libraries as listed in the American	
398	Library Association Standards for Academic	
399	& Research Libraries (%)	0.50
400	Increase the Expenditures of Unrestricted	
401	E&G Funds per Fall Full-time Equivalent	
402	Student for Academic Technical Support (%)	2.00
403	Student Services	
404	Increase the Expenditures of Unrestricted	
405	E&G Funds for Undergraduate Admissions &	
406	Records (%)	1.00
407	Increase the Expenditures of Unrestricted	
408	E&G Funds for Undergraduate Financial	
409	Aid (%)	1.00
410	Institutional Support	
411	Increase the Expenditures of Unrestricted	
412	E&G Funds for Institutional Support per	
413	Fall Full-time Equivalent Student (%)	1.00
414	Operation & Maintenance	
415	Increase the Expenditures of Unrestricted E&G	
416	Funds for Upkeep Cost per Acre of Grounds	
417	(core on- and off-campus) Maintained (%)	0.50
418	Increase the Expenditures of Unrestricted E&G	
419	Funds for Operation and Maintenance Cost	
420	per Square Feet of Building (on- and off-	
421	campus) (%)	0.50
422	Scholarships & Fellowships	
423	Change in Number of Students Receiving	
424	Scholarship dollars from Unrestricted	

425	E&G funds (%)	0
426	Change in Amount of Scholarship Dollars	
427	Awarded from Unrestricted E&G Funds (%)	0
428	Public Service	
429	Change in Expenditures of Unrestricted E&G	
430	Funds for Public Service (%)	1.00

431 A reporting of the degree to which the performance targets
432 set above have been or are being achieved shall be provided in the
433 agency's budget request submitted to the Joint Legislative Budget
434 Committee for Fiscal Year 2002.

435 SECTION 20. Of the funds appropriated under the provisions
436 of this act, the Board of Trustees of State Institutions of Higher
437 Learning may expend out of these funds such sums as may be
438 necessary to provide transportation and transportation related
439 services, including the operation or use of buses, vans or other
440 vehicles owned or leased by the Board of Trustees of State
441 Institutions of Higher Learning in support of the annual meeting
442 of the Southern Legislative Conference hosted by the State of
443 Mississippi.

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

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