

By: Senator(s) Gordon, Chaney, King, Thames, Gollott, Frazier, Dearing, Harden, Kirby, Harvey, Williamson, Mettetal, Farris, Minor, Carmichael, Chamberlin, Little, Dickerson, Browning, Hamilton, Walden, Lee, Cuevas, Furniss, Turner, Tollison, Moffatt, Posey, Burton, Dawkins, Jordan, Hyde-Smith, Huggins, Jackson, Stogner, Ross, White, Johnson (19th), Nunnelee, Smith, Horhn To: Appropriations

SENATE BILL NO. 2678 (As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE ADMINISTRATIVE EXPENSES OF THE STATE BOARD FOR COMMUNITY AND
3 JUNIOR COLLEGES; FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY
4 AND JUNIOR COLLEGES; FOR SUPPORT OF THE EIGHT STATE-SUPPORTED
5 UNIVERSITIES AND PROGRAMS OPERATED BY THOSE UNIVERSITIES; FOR
6 SUPPORT OF STUDENT FINANCIAL AID PROGRAMS; FOR SUPPORT OF THE
7 UNIVERSITY RESEARCH CENTER, THE EDUCATION AND RESEARCH CENTER, THE
8 EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES, THE MISSISSIPPI
9 VOLUNTEER COMMISSION; AND RELATED PROGRAMS; FOR FISCAL YEARS 2003
10 AND 2004.

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

12 SECTION 1. The following sum, or so much thereof as may be
13 necessary, is hereby appropriated out of any money in the State
14 General Fund not otherwise appropriated, to the State Board for
15 Community and Junior Colleges for the purpose of defraying the
16 administrative expenses of the Board and for the aid and support
17 of the public community and junior colleges for the fiscal year
18 beginning July 1, 2003, and ending June 30, 2004.....
19\$ 118,308,008.00.

20 SECTION 2. The following sum, or so much thereof as may be
21 necessary, is hereby appropriated out of any money in the State
22 Treasury to the credit of the State Board for Community and Junior
23 Colleges, and any other special source funds herein made available
24 to the State Board for Community and Junior Colleges, for the
25 purpose of defraying the administrative expenses of the Board and
26 for the aid and support of the public community and junior
27 colleges for the fiscal year beginning July 1, 2003, and ending
28 June 30, 2004\$ 68,249,858.00.

29 SECTION 3. Of the funds appropriated under the provisions of
30 this act and allocated to the State Board for Community and Junior
31 Colleges, funds are provided for the following purposes:



32 (a) State General Funds for:

33 Administrative expenses of the board\$ 6,172,235.00

34 Aid and support of the public and community

35 junior colleges.....\$ 89,479,057.00

36 Hiring nursing and allied health teachers,

37 awarding interest free nursing and allied

38 health student loans, and providing instructional

39 support for the Rural Health Corps.....\$ 1,200,000.00

40 Funding life and health insurance for all

41 employees of the public community and junior

42 colleges.....\$ 12,728,506.00

43 Establishing and operating One-Stop Career

44 Centers at each public community and junior

45 college.....\$ 4,500,000.00

46 Defraying the cost of Sign Language

47 Interpreter Training at public community

48 and junior colleges.....\$ 179,050.00

49 Defraying the cost of the Educational

50 Technology Program.....\$ 3,599,160.00

51 Defraying the cost of the Golden Triangle Education

52 Center for Manufacturing Technology.....\$ 150,000.00

53 Defraying the cost of the Holmes Community College

54 Industrial Technology Complex.....\$ 150,000.00

55 Defraying the cost of the Mississippi Delta

56 Community College Industrial Training

57 Program.....\$ 150,000.00

58 Total\$ 118,308,008.00

59 (b) Commission on Proprietary School and College

60 Registration Fund for:

61 Regulation and administration of the Mississippi

62 Proprietary School and College Registration

63 Law, and associated expenses.....\$ 60,000.00

64 (c) Workforce Carryover Fund for:



65	Administrative expenses of the board.....	\$	1,000,000.00
66	(d) Community College Network Fees for:		
67	Administrative expenses of the board.....	\$	125,000.00
68	(e) Duplicate transcripts and duplicate diploma		
69	issuance fees for:		
70	Administrative expenses of the board.....	\$	100,000.00
71	(f) Workforce On-Line Training Program fees for:		
72	Administrative expenses of the board.....	\$	300,000.00
73	(g) Education Enhancement Fund for:		
74	Aid and support of public community and		
75	junior colleges.....	\$	27,415,398.00
76	Servicing debt on bonds issued for the Education		
77	Technology Program.....	\$	<u>3,148,591.00</u>
78	Total Education Enhancement Funds.....	\$	30,563,989.00
79	(h) Insurance Carryover Fund No. 3295 for:		
80	Fully funding life and health insurance for		
81	all employees of the public community		
82	and junior colleges.....	\$	200,000.00
83	(i) Budget Contingency Funds for:		
84	Administrative expenses of the board.....	\$	8,210,168.00
85	Aid and support for public community and		
86	junior colleges.....	\$	<u>15,289,832.00</u>
87	Total Budget Contingency Funds.....	\$	23,500,000.00
88	(j) Other Special Source Funds for:		
89	Administrative expenses of the board.....	\$	12,400,869.00
90	SECTION 4. With the funds appropriated under the provisions		
91	of this act to the State Board for Community and Junior Colleges,		
92	the following positions are authorized:		
93	AUTHORIZED POSITIONS:		
94	Permanent: Full Time.....		41
95	Part Time.....		1
96	Time-Limited: Full Time.....		0
97	Part Time.....		0



98 **SECTION 5.** Of the funds appropriated under the provisions of
99 this act and allocated to paying administrative expenses of the
100 State Board for Community and Junior Colleges, funds in the amount
101 of Fourteen Million Five Hundred Sixty-three Thousand Four Hundred
102 Thirty-two Dollars (\$14,563,432.00) are provided for the Workforce
103 Education Program and Industrial Training. No funding obligation
104 or commitment shall be made on behalf of the state for industrial
105 training beyond the level of funding made available in this
106 section. All industrial training program commitments made in
107 Fiscal Year 2004 and future fiscal years shall be based only upon
108 funds available in this section and any proposed commitments shall
109 be approved by the Executive Director of the State Board for
110 Community and Junior Colleges, or the Executive Director's
111 designee prior to such commitment being finalized. Industrial
112 training program commitments shall be made and based only upon
113 training services provided and not for a specific funding amount.
114 Any expenditures of funds authorized in this section are limited
115 to obligations made July 1, 2003, or after, and shall not be
116 expended for obligations made prior to this date.

117 **SECTION 6.** The funds appropriated under the provisions of
118 this act and allocated for the purpose of hiring nursing and
119 allied health teachers, awarding interest free nursing and allied
120 health student loans, and providing instructional support for the
121 Rural Health Corps shall be allocated as follows:

122 (1) One-half (1/2) divided equally among the fifteen (15)
123 public community and junior colleges.

124 (2) One-half (1/2) divided upon the basis of the number of
125 full-time academic, technical and vocational public community and
126 junior college students actually enrolled and in attendance on the
127 last day of the sixth week of the fall semester or its equivalent
128 of the preceding year counting only those students who reside
129 within the State of Mississippi.



130 The public community and junior colleges shall prepare and
131 make available to the Legislature and the Legislative Budget
132 Office an accounting of expenditures and program accomplishments
133 of the Rural Health Corps Program for each of the individual
134 community and junior colleges in a format and manner prescribed by
135 the Legislative Budget Office.

136 **SECTION 7.** The funds appropriated under the provisions of
137 this act and allocated for funding life and health insurance for
138 all employees of the public community and junior colleges shall
139 only be used to participate in the State and School Employees'
140 Life and Health Insurance Plan, and any of these funds which are
141 not expended during the fiscal year shall be carried forward for
142 the same purposes during the next succeeding fiscal year.

143 **SECTION 8.** A Mississippi Prepaid Affordable College Tuition
144 (MPACT) program beneficiary shall be considered a Mississippi
145 resident for the purposes of participating in funds appropriated
146 herein to the State Board for Community and Junior Colleges
147 regardless of the beneficiary's residence on the date of
148 enrollment, as set out in Mississippi Code Annotated, Section
149 37-155-5(d)(iii).

150 **SECTION 9.** It is the intention of the Legislature that the
151 State Board of Community and Junior Colleges is hereby authorized
152 to accept, budget and expend funds from any source in an amount
153 not to exceed Five Hundred Thousand Dollars (\$500,000.00) in
154 accordance with rules and regulations of the Department of Finance
155 and Administration in a manner consistent with the escalation of
156 federal funds.

157 **SECTION 10.** The funds appropriated in this act for the aid
158 and support of the public and community junior colleges shall be
159 apportioned in accordance with the following assigned weights:

<u>Assigned Weight</u>		
	4/5 Headcount	1/5 FTE
<u>Formula Section</u>	<u>Formula</u>	<u>Formula</u>



163	(1) Aid to Colleges:		
164	Base	5% of prior year	7% of prior year
165		appropriation	appropriation
166	Academic	1.0	1.0
167	Technical	1.19	1.0
168	Virtual Comm.		
169	College	.55	
170	(2) Vocational	.38	1.0
171	(3) Part-time	.55	
172	(4) Associate Degree		
173	Nursing	1.0	1.19
174	(5) Associate Degree		
175	Allied Health		1.19

176 In the 4/5 Headcount Formula, such Academic, Technical, and
177 Vocational funds shall be disbursed to such public community and
178 junior colleges on the basis of the full-time enrollment of each
179 such public community and junior college as of the last day of the
180 sixth week of the fall semester or its equivalent of the preceding
181 year, counting only students who reside within the State of
182 Mississippi. Part-time academic vocational and technical credit
183 courses may qualify on the basis of the prior year full-time
184 equivalency of part-time and summer students, counting only
185 students who reside within the State of Mississippi.

186 Virtual Community College hosted and provided courses may
187 qualify on the basis of the prior year full-time equivalency of
188 virtual community college hours generated during the summer, fall
189 and spring semesters that did not make a student full-time in the
190 fall semester.

191 In the 1/5 FTE Formula, such Academic, Technical, Vocational,
192 Associate Degree Nursing and Associate Degree Allied Health funds
193 shall be disbursed on the basis of prior year full-time
194 equivalency (FTE) of hours generated during the summer, fall and
195 spring semesters for each public community and junior college as



196 of the last day of the sixth week of each semester, or its
197 equivalent, counting only students who reside within the State of
198 Mississippi. However, Associate Degree Nursing students who
199 reside outside the State of Mississippi may be counted for pay
200 purposes.

201 Of the funds appropriated in this act for the aid and support
202 of the public community and junior colleges, funds up to Six
203 Hundred Ninety-two Thousand Dollars (\$692,000.00) are provided to
204 be set aside as a mechanism to hold harmless those colleges that
205 lose funding in the first year of a five year phase-in
206 implementation period to a full-time equivalency (FTE) funding
207 formula.

208 The Director of the State Board for Community and Junior
209 Colleges, or his designee, shall audit each public community and
210 junior college and shall determine who shall be counted in each
211 college and shall certify the number to the State Board for
212 Community and Junior Colleges.

213 If, pending determination of the enrollment of students at
214 the public community and junior colleges entitled to participate
215 in this appropriation, as provided for in this subsection, the
216 State Board for Community and Junior Colleges shall find and
217 determine that any such public or community junior college does
218 not have sufficient funds on hand for payment of the necessary
219 expenses of its operation for the period commencing July 1, 2003,
220 until distribution of the funds appropriated hereby, then, in that
221 event, the State Board for Community and Junior Colleges is
222 expressly authorized to make an advance to any such public
223 community or junior college or colleges not having sufficient
224 operating funds for such period from the funds appropriated
225 hereby; provided, however, that the amount of any such advance to
226 any one public community or junior college shall not exceed
227 thirty-three percent (33%) of the amount of state appropriated
228 funds received by such public community or junior college during



229 the preceding fiscal year; and provided, further, that the amount
230 of any such advance shall be deducted from the pro rata part of
231 the funds appropriated hereby accruing to said public community or
232 junior college when enrollment has been ascertained and
233 distribution of funds is made.

234 **SECTION 11.** No part of the amount herein appropriated for
235 the aid and support of public community and junior colleges shall
236 be used by the State Board for Community and Junior Colleges for
237 administrative or other purposes except in the manner and to the
238 extent authorized in the act making an appropriation for the
239 expenses of the State Board for Community and Junior Colleges.

240 **SECTION 12.** The following public community and junior
241 colleges which qualify shall participate in the funds provided in
242 this act for the aid and support of public community and junior
243 colleges:

244 Coahoma Community College, Copiah-Lincoln Community College,
245 East Central Community College, East Mississippi Community
246 College, Hinds Community College District, Holmes Community
247 College, Itawamba Community College, Jones County Junior College,
248 Meridian Community College, Mississippi Delta Community College,
249 Mississippi Gulf Coast Community College District, Northeast
250 Mississippi Community College, Northwest Mississippi Community
251 College, Pearl River Community College, and Southwest Mississippi
252 Community College.

253 **SECTION 13.** The following sum, or so much thereof as may be
254 necessary, is hereby appropriated out of any money in the State
255 General Fund not otherwise appropriated, to the Board of Trustees
256 of State Institutions of Higher Learning for the purpose of
257 support, maintenance, and repairs at the state-supported
258 institutions of higher learning, those being Mississippi State
259 University, University of Mississippi, Mississippi University for
260 Women, University of Southern Mississippi, Delta State University,
261 Alcorn State University, Jackson State University, and Mississippi



262 Valley State University, and programs operated by those
263 institutions; for support of student financial aid programs
264 authorized by law; for support of the University Research Center,
265 the Education and Research Center, the Executive Office of the
266 Board of Trustees, the Mississippi Volunteer Commission; and
267 related programs, for the fiscal year beginning July 1, 2003, and
268 ending June 30, 2004\$ 469,946,479.00.

269 **SECTION 14.** The following sum, or so much thereof as may be
270 necessary, is hereby appropriated out of any money in the State
271 Treasury to the credit of the Board of Trustees of State
272 Institutions of Higher Learning or any institution or program
273 administered by the Board; and out of the proceeds from any
274 federal, student fees or other special source funds, not otherwise
275 appropriated, to the Board of Trustees of State Institutions of
276 Higher Learning for the purpose of support of the state-supported
277 institutions of higher learning, those being Mississippi State
278 University, University of Mississippi, Mississippi University for
279 Women, University of Southern Mississippi, Delta State University,
280 Alcorn State University, Jackson State University, and Mississippi
281 Valley State University, and programs operated by those
282 institutions; for support of student financial aid programs
283 authorized by law; for support of the University Research Center,
284 the Education and Research Center, the Executive Office of the
285 Board of Trustees, the Mississippi Volunteer Commission; and
286 related programs, for the fiscal year beginning July 1, 2003, and
287 ending June 30, 2004\$ 1,025,003,324.00.

288 **SECTION 15.** Of the funds appropriated under the provisions
289 of this act and allocated to the Board of Trustees of State
290 Institutions of Higher Learning, funds are provided for the
291 following purposes:

- 292 (a) State General Funds for:
293 General support, maintenance, and repairs at
294 the state-supported institutions of higher



295	learning.....	\$	244,897,663.00
296	Financial aid scholarship, loan and grant programs		
297	authorized by law and administered by the		
298	Mississippi Office of Student Financial Aid,		
299	and for support of the Mississippi Office		
300	of Student Financial Aid.....	\$	26,924,441.00
301	Executive Office of the Board of Trustees, the		
302	University Research Center and the Mississippi		
303	Automated Resource Information System		
304	(MARIS).....	\$	5,363,642.00
305	College of Veterinary Medicine at Mississippi		
306	State University.....	\$	10,598,652.00
307	University of Mississippi Medical Center	\$	126,394,258.00
308	Mississippi Cooperative Extension Service	\$	19,084,655.00
309	Mississippi Agricultural and Forestry		
310	Experiment Station.....	\$	17,226,060.00
311	Mississippi Forest and Wildlife Research		
312	Center.....	\$	4,608,112.00
313	Alcorn State University Agricultural Programs ..	\$	3,746,832.00
314	Mississippi Mineral Resources Research		
315	Institute.....	\$	387,178.00
316	Mississippi Law Research Institute.....	\$	568,033.00
317	Gulf Coast Research Laboratory.....	\$	3,084,083.00
318	Water Resources Institute.....	\$	77,710.00
319	Mississippi State Chemical Laboratory.....	\$	1,087,951.00
320	Research Institute of Pharmaceutical Science ...	\$	3,314,192.00
321	Supercomputer.....	\$	957,278.00
322	Polymer Institute.....	\$	423,306.00
323	Small Business Development Center.....	\$	326,838.00
324	Stennis Center for Higher Learning.....	\$	343,281.00
325	Jackson State University Urban Research Center..	\$	236,747.00
326	Commission for Volunteer Services.....	\$	82,385.00
327	Stennis Institute of Government.....	\$	213,182.00



328	Total.....	\$	469,946,479.00
329	(b) Education Enhancement Funds for:		
330	General support, maintenance, and repairs at		
331	the state-supported institutions of higher		
332	learning.....	\$	37,159,988.00
333	College of Veterinary Medicine at Mississippi		
334	State University.....	\$	603,725.00
335	University of Mississippi Medical Center	\$	3,854,830.00
336	Mississippi Cooperative Extension Service	\$	1,222,596.00
337	Mississippi Agricultural and Forestry		
338	Experiment Station.....	\$	1,461,204.00
339	Mississippi Forest and Wildlife Research		
340	Center.....	\$	322,193.00
341	Alcorn State University Agricultural Programs ..	\$	21,097.00
342	Executive Office of the Board of Trustees, the		
343	University Research Center and the		
344	Mississippi Automated Resource Information		
345	System (MARIS)	\$	495,742.00
346	Mississippi Mineral Resources Research		
347	Institute.....	\$	24,035.00
348	Mississippi Law Research Institute.....	\$	54,913.00
349	Gulf Coast Research Laboratory.....	\$	196,650.00
350	Water Resources Institute.....	\$	8,740.00
351	Mississippi State Chemical Laboratory.....	\$	161,595.00
352	Research Institute of Pharmaceutical Science....	\$	100,510.00
353	Stennis Center for Higher Learning.....	\$	95,000.00
354	Commission for Volunteer Services.....	\$	92,150.00
355	Stennis Institute of Government.....	\$	46,550.00
356	Total.....	\$	45,921,518.00
357	(c) Budget Contingency Funds for:		
358	General support, maintenance, and repairs at		
359	the state-supported institutions of higher		
360	learning.....	\$	41,019,792.00



361	Financial aid scholarship, loan and grant programs	
362	authorized by law and administered by the	
363	Mississippi Office of Student Financial Aid,	
364	and for support of the Mississippi Office	
365	of Student Financial Aid.....\$	3,602,567.00
366	Executive Office of the Board of Trustees, the	
367	University Research Center and the Mississippi	
368	Automated Resource Information System	
369	(MARIS).....\$	544,017.00
370	College of Veterinary Medicine at Mississippi	
371	State University.....\$	2,300,000.00
372	University of Mississippi Medical Center	\$ 16,572,614.00
373	Mississippi Cooperative Extension Service	\$ 1,876,722.00
374	Mississippi Agricultural and Forestry	
375	Experiment Station.....\$	1,788,000.00
376	Mississippi Forest and Wildlife Research	
377	Center.....\$	332,077.00
378	Alcorn State University Agricultural Programs ..\$	630,745.00
379	Mississippi Mineral Resources Research	
380	Institute.....\$	52,010.00
381	Mississippi Law Research Institute.....\$	119,754.00
382	Gulf Coast Research Laboratory.....\$	45,123.00
383	Water Resources Institute.....\$	4,550.00
384	Mississippi State Chemical Laboratory.....\$	96,460.00
385	Research Institute of Pharmaceutical Science ...\$	106,094.00
386	Supercomputer.....\$	261,781.00
387	Polymer Institute.....\$	56,978.00
388	Small Business Development Center.....\$	16,542.00
389	Stennis Center for Higher Learning.....\$	5,283.00
390	Jackson State University Urban Research Center..\$	14,779.00
391	Commission for Volunteer Services.....\$	94,499.00
392	Stennis Institute of Government.....\$	33,771.00
393	Total.....\$	69,574,158.00



394	(d) State Court Education Program Funds in the	
395	State Treasury for:	
396	State Court Education Program.....\$	1,467,049.00
397	(e) Mississippi Alcohol Safety Program Funds in	
398	the State Treasury for:	
399	Mississippi Alcohol Safety Program.....\$	150,000.00
400	(f) Carryover Fund No. 325E for:	
401	Mississippi Resident Tuition Assistance Grant and	
402	Mississippi Eminent Scholar Grant Programs.\$	650,000.00
403	(g) Health Care Expendable Funds for:	
404	Support and maintenance of the Medical	
405	Education Loan/Scholarship Program..... \$	200,000.00
406	(h) Other Special Source Funds for:	
407	General support, maintenance, and repairs at	
408	the state-supported institutions of higher	
409	learning.....\$	340,080,352.00
410	Financial aid scholarship, loan and grant programs	
411	authorized by law and administered by the	
412	Mississippi Office of Student Financial Aid,	
413	and for support of the Mississippi Office	
414	of Student Financial Aid.....\$	7,646,404.00
415	Executive Office of the Board of Trustees, the	
416	University Research Center and the Mississippi	
417	Automated Resource Information System	
418	(MARIS)\$	24,141,630.00
419	College of Veterinary Medicine at Mississippi	
420	State University.....\$	4,641,259.00
421	University of Mississippi Medical Center\$	475,147,845.00
422	Mississippi Cooperative Extension Service\$	13,494,680.00
423	Mississippi Agricultural and Forestry	
424	Experiment Station.....\$	6,407,974.00
425	Mississippi Forest and Wildlife Research Center.\$	766,560.00
426	Mississippi Alcohol Safety Program\$	1,076,491.00



427	Mississippi Mineral Resources Research	
428	Institute.....	\$ 8,595,387.00
429	Mississippi Law Research Institute.....	\$ 352,636.00
430	Gulf Coast Research Laboratory.....	\$ 1,774,771.00
431	Mississippi State Chemical Laboratory.....	\$ 390,000.00
432	Research Institute of Pharmaceutical Science ...	\$ 7,305,162.00
433	Polymer Institute.....	\$ 38,667.00
434	Small Business Development Center.....	\$ 835,772.00
435	Commission for Volunteer Services.....	\$ 8,301,433.00
436	Stennis Institute of Government.....	\$ 143,576.00
437	Total.....	\$ 901,140,599.00
438	(i) Ayers Endowment Interest Fund No. 3258 for:	
439	The purposes as set out by the courts in the	
440	Ayers Case for:	
441	Alcorn State University	\$ 300,000.00
442	Jackson State University	\$ 300,000.00
443	Mississippi Valley State University	\$ 300,000.00
444	Total.....	\$ 900,000.00
445	(j) Ayers Settlement Fund, created by House Bill	
446	No. 1471, 2001 Regular Session, for:	
447	Establishing an Ayers settlement endowment fund	
448	to comply with the Settlement Agreement in	
449	the case of <u>Ayers v. Musgrove</u>	\$ 5,000,000.00

450 **SECTION 16.** Upon the Ayers Settlement Agreement becoming
451 final and effective according to its terms (including, but not
452 limited to, the exhaustion of all rights to appeal), it is the
453 intention of the Legislature that the Five Million Dollars
454 (\$5,000,000.00) appropriated in this act from the Ayers Settlement
455 Fund, created by House Bill No. 1471, 2001 Regular Session, is
456 hereby authorized for use by the Board of Trustees of State
457 Institutions of Higher Learning for the purpose of establishing an
458 Ayers settlement endowment fund to comply with the Settlement
459 Agreement in the case of Ayers v. Musgrove.



460 **SECTION 17.** Of the funds provided herein to the Board of
461 Trustees of State Institutions of Higher Learning, the following
462 amount, or so much thereof as may be necessary, shall be expended
463 by the Board of Trustees of State Institutions of Higher Learning
464 for the purpose of defraying the costs associated with
465 Ayers-related programs at Alcorn State University, Jackson State
466 University and Mississippi Valley State University; interest on
467 the Ayers Endowment Fund and any other Ayers-related activities
468 associated with the implementation of the Remedial Decree of the
469 District Courts.....\$ 14,246,000.00.

470 **SECTION 18.** It is the intention of the Legislature that upon
471 the Ayers Settlement Agreement becoming final and effective
472 according to its terms (including, but not limited to, the
473 exhaustion of all rights to appeal), funds necessary to comply
474 with the Ayers Settlement Agreement shall be appropriated in the
475 next Legislative Session.

476 **SECTION 19.** It is the intent of the Legislature that the
477 Board of Trustees of State Institutions of Higher Learning shall
478 allocate funds to the off-campus centers based on a minimum rate
479 of sixty-five percent (65%) of the on-campus cost of a full-time
480 equivalent student. The on-campus distribution is to be
481 determined without regard to the costs incurred by any one or more
482 of them in the operation of off-campus degree completing centers'
483 classes. Off-campus centers which are operated jointly by two (2)
484 or more institutions, the amount allocated to such centers shall
485 be prorated among the institutions jointly operating such centers
486 based on the full-time equivalent enrollment of such centers.

487 The board of trustees shall insure that the off-campus
488 centers are not charged with any indirect or overhead cost
489 prorated from any on-campus activity. It is the intent of the
490 Legislature that the on-campus operations charge the off-campus
491 centers with only actual direct charges.



492 **SECTION 20.** Of the State General Funds provided herein to
493 the Board of Trustees of State Institutions of Higher Learning for
494 the general support and maintenance of the state-supported
495 institutions, the amount of One Hundred Fifty-seven Thousand Five
496 Hundred Dollars (\$157,500.00) shall be used for the promotion and
497 expenses of the Mississippi Governor's School for the Gifted and
498 Talented.

499 Provided, however, that the Board of Trustees of State
500 Institutions of Higher Learning shall develop the governing policy
501 for faculty, course content and facilities selection on a
502 competitive basis from all Mississippi senior colleges and
503 universities. The Mississippi Governor's School for the Gifted
504 and Talented shall accept not less than one (1) high school
505 student nominee from each accredited high school in Mississippi.
506 The nominees, selected under criteria developed and adopted by the
507 Board of Trustees of State Institutions of Higher Learning, shall
508 be provided a three-week tuition-free program.

509 The Board of Trustees of State Institutions of Higher
510 Learning shall compile and publish the report of the statewide
511 evaluation committee on the leadership impact of graduates of this
512 school. This report is to be a continuing study on the youthful
513 leadership of the state.

514 **SECTION 21.** Of the State General Funds provided herein to
515 the Board of Trustees of State Institutions of Higher Learning for
516 the general support and maintenance of the state-supported
517 institutions, the amount of Two Hundred Twenty-five Thousand
518 Dollars (\$225,000.00) shall be used for the promotion and expenses
519 of the Teacher Corps.

520 **SECTION 22.** Of the State General Funds provided herein to
521 the Board of Trustees of State Institutions of Higher Learning for
522 the general support and maintenance of the state-supported
523 institutions, the following amounts shall be used as set forth:

524 (a) For Mississippi State University as interest



525	on agricultural land script fund and interest	
526	on the sale of university land.....\$	14,387.00
527	(b) For the University of Mississippi as interest	
528	on the original seminary fund.....\$	32,643.00
529	(c) For the University of Mississippi as interest	
530	on the 1904 land grant fund.....\$	9,965.00
531	(d) For the University of Mississippi as interest	
532	on the LaBauve Fund.....\$	1,420.00
533	(e) For the Mississippi University for Women as	
534	interest on funds paid into the State	
535	Treasury as proceeds of sale of land	
536	donated to the Industrial Institute and	
537	College by the United States Government.....\$	9,389.00
538	(f) For Alcorn State University as interest on	
539	land script and land sales funds.....\$	12,592.00

540 **SECTION 23.** Of the funds provided herein for support of the
541 Gulf Coast Research Laboratory, the Board of Trustees of State
542 Institutions of Higher Learning shall allocate for Sea Grants
543 matching One Hundred Seventy-five Thousand Dollars (\$175,000.00)
544 for the Fiscal Year 2004.

545 Provided further, it is the intention of the Legislature, in
546 the event budget reductions are imposed on the Gulf Coast Research
547 Laboratory by the Board of Trustees of State Institutions of
548 Higher Learning, as a result of the Governor ordering budget
549 reductions under the provisions of Section 27-104-13 or 31-17-123,
550 Mississippi Code of 1972, the same percent reduction will be
551 applied to those state funds identified in this section for Sea
552 Grant match.

553 **SECTION 24.** It is the intention of the Legislature that
554 after the Mississippi State Chemical Laboratory has provided the
555 maximum amount of services which may be provided free of charge
556 under the provisions of Section 57-21-11(c), Mississippi Code of
557 1972, the laboratory shall not provide any additional services



558 from the funds provided herein for the laboratory's support if any
559 charges for such services previously provided are more than ninety
560 (90) days past due. After all such delinquent charges have been
561 paid by a client, the laboratory may provide additional services
562 to the client.

563 **SECTION 25.** It is the intention of the Legislature that the
564 Board of Trustees of State Institutions of Higher Learning shall
565 ensure that none of the funds apportioned in this act for the
566 Out-of-State Educational Program shall be paid to or for the
567 benefit of any student who enters a school outside the State of
568 Mississippi for the first time, subsequent to July 1, 1982, in any
569 discipline in the fields of medicine or dentistry.

570 **SECTION 26.** It is the intention of the Legislature that of
571 the State General Funds provided herein for financial aid programs
572 authorized by law, the Board of Trustees of the State Institutions
573 of Higher Learning shall expend from the support of the
574 out-of-state graduate and professional studies program an amount
575 not exceeding the funding necessary, contingent upon the
576 availability of qualified applicants, for ten (10) new entering
577 optometry students and the number of returning optometry students
578 who received funding under the program during the preceding school
579 year; for ten (10) new entering chiropractic students, with not
580 more than twenty-five (25) chiropractic students overall; and
581 seven (7) new entering osteopathic medical students and the number
582 of returning osteopathic medical students who received funding
583 under the program during the preceding school year, for these
584 courses of study.

585 **SECTION 27.** In the allocation of funds provided herein to
586 the Board of Trustees of State Institutions of Higher Learning for
587 financial aid programs authorized by law, it is the intention of
588 the Legislature that priority shall be given and funds shall be
589 first allocated to all students eligible for financial aid under



590 the provisions of Sections 37-107-1 through 37-107-7 and Sections
591 37-108-1 through 37-108-5, Mississippi Code of 1972.

592 **SECTION 28.** It is the intention of the Legislature that all
593 funds provided herein to the Board of Trustees of State
594 Institutions of Higher Learning for financial aid programs
595 authorized by law shall be accounted for in a detailed statement
596 showing when, to whom, and for what purpose applied, and this
597 statement shall be submitted at the next regular session of the
598 Legislature within ten (10) days after the convening thereof. A
599 report of loans made and receipt of repayment of loans to the fund
600 shall be reported. The amount of repayment that is in arrears
601 shall also be included. Such report shall include the number of
602 students at each institution receiving financial assistance and
603 the amount of such assistance, and an estimate of the financial
604 requirement of the various loan programs for the next year. No
605 public or private institution of higher learning receiving funds
606 under the respective provisions of this act, for the purpose of
607 issuing scholarship grants or loans, shall issue any official
608 transcripts for any persons who have any amount of repayment in
609 arrears on that date such official transcript is requested.

610 Furthermore, all such funds received and expended shall be
611 reported and otherwise accounted for in accordance with the
612 provisions of Section 37-143-21, Mississippi Code of 1972.

613 **SECTION 29.** It is the intention of the Legislature that all
614 fees charged and collected by the University Research Center for
615 services provided by the Mississippi Automated Resource
616 Information System (MARIS) shall be deposited in a special fund to
617 be known as the "Mississippi Automated Resource Information System
618 (MARIS) Revolving Fund." All monies in the revolving fund shall
619 be used by MARIS exclusively for the support of MARIS projects and
620 activities.

621 **SECTION 30.** With the funds provided herein for the support
622 of the University of Mississippi Medical Center, the following



623 shall be maintained: the School of Medicine, the School of
624 Dentistry, the School of Nursing, the School of Health Related
625 Professions, the Teaching Hospital and the Medical Center Service
626 Area. The University of Mississippi Medical Center shall prepare
627 and make available to the Legislature an accounting of
628 expenditures for each of the divisions listed in this section at
629 the beginning of the legislative session.

630 **SECTION 31.** Due to critical nurse shortages and staffing, it
631 is the intent of the Legislature to enhance recognition of
632 excellence and expand the experience factor in attracting
633 qualified registered nurses.

634 **SECTION 32.** Of the funds provided herein for the University
635 of Mississippi Medical Center, none may be used to provide medical
636 services on behalf of any state agency, institution or political
637 subdivision, except to the extent that such agency, institution or
638 political subdivision reimburses the hospital for the cost of the
639 services provided. Upon the rendering of medical services to any
640 such agency, institution or political subdivision, the hospital
641 shall issue an invoice for the charges which shall be paid within
642 ninety (90) days. In the event that payment is not made within
643 ninety (90) days, the hospital shall discontinue providing
644 services to that agency, institution, or political subdivision
645 until all outstanding charges have been paid.

646 **SECTION 33.** With the funds provided herein to the
647 Mississippi Cooperative Extension Service, it is the intention of
648 the Legislature that the Mississippi Cooperative Extension Service
649 provide programs in the emphasis areas of Agriculture, Home
650 Economics, 4-H, and Community Resource Development in each county.

651 **SECTION 34.** It is the intention of the Legislature that of
652 the funds provided herein for the Alcorn State University
653 Agricultural Programs, none shall be used for the purpose of
654 defraying the expenses of the Agribusiness Council.



655 **SECTION 35.** It is the intention of the Legislature that of
656 the funds provided herein for the Alcorn State University
657 Agricultural Programs, an amount of Two Hundred Thousand Dollars
658 (\$200,000.00) shall be used for the Mississippi Natural Products
659 Association, Incorporated.

660 **SECTION 36.** It is the intention of the Legislature that the
661 Board of Trustees of State Institutions of Higher Learning shall
662 first use special funds to the greatest extent possible to defray
663 the costs of providing remediation at the state-supported
664 institutions of higher learning.

665 **SECTION 37.** It is the intention of the Legislature that none
666 of the funds provided herein to the Board of Trustees of State
667 Institutions of Higher Learning shall be expended for any purpose
668 that is not actually required or necessary for performing any of
669 the powers or duties of the Board of Trustees of State
670 Institutions of Higher Learning, or any of the powers or duties of
671 any institution under the jurisdiction of the board of trustees,
672 that are authorized by the Mississippi Constitution of 1890, state
673 or federal law, or rules or regulations that implement state or
674 federal law.

675 **SECTION 38.** The Board of Trustees of State Institutions of
676 Higher Learning shall submit to the Committee on Appropriations of
677 both houses of the Mississippi Legislature by January 1, 2004, a
678 consolidated report for all the several institutions under its
679 jurisdiction, on forms and in a manner to be prescribed by the
680 Legislative Budget Committee, which reflects the anticipated
681 current restricted fund revenues for the 2004 fiscal year, and the
682 budgeted use of such current restricted funds by major object
683 category. For purposes of this section, the term "current
684 restricted funds" shall be defined as those public funds available
685 for financing university operations which are limited by the
686 donor, or by an agency external to the Board of Trustees of State
687 Institutions of Higher Learning, to specific purposes, programs,



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

691 **SECTION 39.** It is the intention of the Legislature that the
692 Board of Trustees of State Institutions of Higher Learning
693 continue to review, and eliminate when possible, duplicating
694 programs and degrees in the existing institutions of higher
695 learning in this state.

696 **SECTION 40.** It is the intention of the Legislature that the
697 Board of Trustees of State Institutions shall ensure that no state
698 appropriations or student tuition and fee receipts, except those
699 specifically charged for the provision of the services, shall be
700 used to support auxiliary enterprises, with the exception of
701 intercollegiate athletics at a level designated by the board of
702 trustees. It is the intent of the Legislature that auxiliary
703 enterprises shall be self-supporting; and that deficits not be
704 taken from funds intended for instruction and academic programs.

705 **SECTION 41.** It is the intention of the Legislature that none
706 of the funds provided herein to the Board of Trustees of State
707 Institutions of Higher Learning shall be spent to defray tuition
708 cost or subsidize in any way the direct cost of education,
709 ordinarily paid by the student, of any nonresident alien enrolled
710 in any state-supported institution of higher learning in the State
711 of Mississippi. However, this will not apply to any nonresident
712 alien student if the United States has a reciprocal agreement with
713 their country on subsidizing the education of a United States
714 citizen student.

715 **SECTION 42.** The Board of Trustees of State Institutions of
716 Higher Learning shall report yearly to the Legislature the
717 institution compliance with Section 97-11-51, Mississippi Code of
718 1972, which prohibits deficit spending.

719 **SECTION 43.** It is the intention of the Legislature that the
720 Board of Trustees of State Institutions of Higher Learning shall



721 ensure that any funds appropriated pursuant to this act and paid
722 as a fee to or deposited in a financial institution shall be in
723 compliance with Section 109 of the Constitution of the State of
724 Mississippi and Section 25-4-103, Mississippi Code of 1972.

725 **SECTION 44.** It is the intention of the Legislature that none
726 of the funds appropriated by this act shall be expended for
727 increased charges for State Employee and Teacher Health Insurance
728 premium rates assessed by the Department of Finance and
729 Administration in excess of the Fiscal Year 2003 premium rates for
730 the health insurance plan.

731 **SECTION 45.** It is the intention of the Legislature that no
732 State General Funds authorized to be expended in this act shall be
733 used to replace federal funds and/or other special funds which are
734 being used for salaries authorized under the provisions of this
735 act and which are withdrawn and no longer available.

736 **SECTION 46.** It is the intention of the Legislature that the
737 State Board for Community and Junior Colleges and the Board of
738 Trustees of State Institutions of Higher Learning shall maintain
739 complete accounting and personnel records related to the
740 expenditure of all funds appropriated under the provisions of this
741 act and that such records shall be in the same format and level of
742 details as maintained for Fiscal Year 2003. It is further the
743 intention of the Legislature that the budget requests for Fiscal
744 Year 2005 shall be submitted to the Joint Legislative Budget
745 Committee in a format and level of detail comparable to the format
746 and level of detail provided during the Fiscal Year 2004 budget
747 request process.

748 **SECTION 47.** Of the funds provided herein to the Board of
749 Trustees of State Institutions of Higher Learning, the following
750 amount, or so much thereof as may be necessary, shall be expended
751 to defray the costs of the Center for Advanced Vehicular Studies
752 at Mississippi State University.....\$ 3,500,000.00.



753 **SECTION 48.** Of the funds provided herein to the Board of
754 Trustees of State Institutions of Higher Learning, the following
755 amount, or so much thereof as may be necessary, shall be provided
756 to the Mississippi Military Communities Council to assist in
757 consulting efforts associated with Base Realignment and Closure
758 (BRAC).....\$ 200,000.00.

759 **SECTION 49.** Of the funds provided herein to the Board of
760 Trustees of State Institutions of Higher Learning, the following
761 amount, or so much thereof as may be necessary, shall be allocated
762 equally to Jackson State University, Mississippi State University,
763 the University of Mississippi, and the University of Southern
764 Mississippi for economic development, reorganization, and
765 reallocation efforts at those universities..... \$ 2,000,000.00.

766 **SECTION 50.** Of the funds provided herein to the Board of
767 Trustees of State Institutions of Higher Learning, the following
768 amount, or so much thereof as may be necessary, shall be allocated
769 to Mississippi State University - Meridian Branch.....
770 \$ 200,000.00.

771 **SECTION 51.** Of the funds provided herein to the Board of
772 Trustees of State Institutions of Higher Learning, the following
773 amount, or so much thereof as may be necessary, shall be allocated
774 to the University of Southern Mississippi for economic development
775 initiatives..... \$ 100,000.00.

776 **SECTION 52.** Of the funds provided herein to the Board of
777 Trustees of State Institutions of Higher Learning, it is the
778 intention of the Legislature that the following amount, or so much
779 thereof as may be necessary, shall be provided to establish a
780 Director of Nursing and Health Care Programs at the Executive
781 Office of the Board of Trustees of State Institutions of Higher
782 Learning..... \$ 150,000.00.

783 **SECTION 53.** Of the funds provided herein to the Board of
784 Trustees of State Institutions of Higher Learning, it is the
785 intention of the Legislature that the following amount, or so much



786 thereof as may be necessary, shall be provided to Jackson State
787 University for transfer to the Mississippi Technology Alliance,
788 and this amount shall be in addition to any amount allocated to
789 Jackson State University for the support of on-campus and off-
790 campus operations..... \$ 500,000.00.

791 **SECTION 54.** Of the funds provided herein to the Board of
792 Trustees of State Institutions of Higher Learning, it is the
793 intention of the Legislature that the following amount, or so much
794 thereof as may be necessary, shall be provided to the Delta State
795 University Department of Commercial Aviation..... \$ 50,000.00.

796 **SECTION 55.** Of the funds provided herein to the Board of
797 Trustees of State Institutions of Higher Learning, the following
798 amount shall be allocated to the Greenville Higher Education
799 Center..... \$ 250,000.00.

800 **SECTION 56.** It is the intention of the Legislature that the
801 Presidents of Jackson State University, Mississippi State
802 University, the University of Mississippi, and the University of
803 Southern Mississippi may transfer funds of the subsidiary budgets
804 at each university in an amount not to exceed five percent (5%) of
805 the authorized budgets of each subsidiary budget to another
806 subsidiary budget or to the general support of the university.

807 **SECTION 57.** In addition to all other sums heretofore
808 appropriated, the following sum, or so much thereof as may be
809 necessary, is hereby appropriated out of the Budget Contingency
810 Fund for the purpose of assisting the Mississippi Military
811 Communities Council in consulting efforts for Base Realignment and
812 Closure (BRAC) for the fiscal year ending June 30, 2003.....
813\$ 83,333.00.

814 **SECTION 58.** The money herein appropriated shall be paid by
815 the State Treasurer out of any money in the proper fund or funds
816 as set forth in this act, upon warrants issued by the State Fiscal
817 Officer; and the State Fiscal Officer shall issue his warrants



818 upon requisitions signed by the proper person, officer or officers
819 in the manner provided by law.

820 **SECTION 59.** This act shall take effect and be in force from
821 and after July 1, 2003, except that Section 57 shall take effect
822 and be in force from and after its passage.

