

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 1033

By Senator(s) Committee

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

5 **SECTION 1.** Within the provisions of this act funds are
6 allocated and authorized for the support of public education and
7 related programs in the State of Mississippi for Fiscal Year 2004,
8 in the following amount.....\$ 4,463,206,035.00.

9 The source and allocation of these funds are as follows:

	<u>General Funds</u>	<u>Special Funds</u>
10		
11	K-12 Education	\$ 1,039,502,184
12	Community and Junior Colleges ..	\$ 249,031,882
13	Institutions of Higher Learning .	\$ 967,783,166
14	TOTAL	\$ 2,256,317,232

15 **SECTION 2.** The following sum, or so much thereof as may be
16 necessary, is hereby appropriated out of any money in the State
17 General Fund not otherwise appropriated, to the State Board of
18 Education for the purpose of defraying the expenses of the Board,
19 which may include, but not limited to, defraying the expenses of
20 the State Department of Education, the Vocational and Technical
21 Education Division of the State Department of Education, the
22 Mississippi Adequate Education Program, the Mississippi Schools
23 for the Blind and Deaf, and paying annual compensation to the
24 Chickasaw Cession counties for sixteenth section lands which they

25 lost through sale by the state, as provided in Sections 29-3-137
 26 through 29-3-141, Mississippi Code of 1972, for the fiscal year
 27 beginning July 1, 2003, and ending June 30, 2004.....
 28\$ 1,544,248,337.00.

29 The funds appropriated in this section shall be allocated as
 30 follows:

- 31 (a) State Department of Education, excluding the
 32 Vocational and Technical Education Division\$ 68,789,560.00
- 33 (b) Vocational and Technical Education Division
 34 of the State Department of Education.....\$ 67,427,929.00
- 35 (c) Mississippi Adequate Education Program.....\$ 1,388,984,607.00
- 36 (d) Mississippi Schools for the Blind and Deaf.\$ 9,796,629.00
- 37 (e) Paying annual compensation to the Chickasaw
 38 Cession counties.....\$ 9,249,612.00
- 39 Total\$ 1,544,248,337.00

40 **SECTION 3.** The following sum, or so much thereof as may be
 41 necessary, is hereby appropriated out of any money in any special
 42 fund in the State Treasury to the credit of the State Board of
 43 Education which is comprised of special source funds collected by
 44 or otherwise available to the Board, or out of any other special
 45 fund authorized within the provisions of this act, for the purpose
 46 of defraying the expenses of the Board, which shall include, but
 47 not limited to, defraying the expenses of the State Department of
 48 Education, the Vocational and Technical Education Division of the
 49 State Department of Education, the Mississippi Adequate Education
 50 Program, the Mississippi Schools for the Blind and Deaf, and
 51 paying annual compensation to the Chickasaw Cession counties for
 52 sixteenth section lands which they lost through sale by the state,
 53 as provided in Sections 29-3-137 through 29-3-141, Mississippi
 54 Code of 1972, for the fiscal year beginning July 1, 2003, and
 55 ending June 30, 2004..... \$ 1,030,764,730.00.

56 The funds appropriated in this section shall be allocated as
 57 follows:

- 58 (a) State Department of Education, excluding the
 59 Vocational and Technical Education Division.\$ 647,637,601.00

60 (b) Vocational and Technical Education Division
61 of the State Department of Education.....\$ 23,925,955.00
62 (c) Mississippi Adequate Education Program.....\$ 358,233,151.00
63 (d) Mississippi Schools for the Blind and Deaf.\$ 968,023.00
64 Total\$ 1,030,764,730.00

65 **SECTION 4.** Of the funds appropriated under the provisions of
66 this act and allocated to the State Department of Education,
67 excluding the Vocational and Technical Education Division, funds
68 are provided for the following purposes:

69 (a) State General Funds for:
70 Writing and Thinking Institute.....\$ 300,000.00
71 Very Special Arts Program.....\$ 75,000.00
72 Transfer to the Mississippi National Guard
73 to support the Youth Challenge Program
74 at Camp Shelby.....\$ 2,064,516.00

75 A Director of School Nurses in the State
76 Department of Education and the implementation
77 of three (3) pilot projects for a variety of
78 school health programs in an elementary school
79 setting which shall evaluate the program's
80 effect to drop-out rates, suspensions,
81 expulsions, attendance and test scores.....\$ 521,517.00

82 And, it is the intention of the Legislature
83 that any income generated by these school-based
84 clinics shall remain available for expenditure
85 by the programs utilizing any special fund authority
86 provided in this act to the State Department of
87 Education and the pilots shall remain the same as
88 in Fiscal Year 2003.

89 (b) Education Enhancement Funds for:
90 Grants to School Districts for Capital
91 Facilities and Buses.....\$ 16,000,000.00
92 Classroom Supplies.....\$ 19,977,628.00
93 Tech Prep Bond Service.....\$ 3,220,550.00
94 Implementing Performance Based Data

95	Collection and Accreditation Model.....	\$	274,937.00
96	Administrator Training.....	\$	120,675.00
97	World Class Teacher Program.....	\$	125,000.00
98	Mississippi School Boards Continuing		
99	Training.....	\$	47,041.00
100	School Board Training.....	\$	58,697.00
101	Education Technology Council.....	\$	<u>94,082.00</u>
102	Total.....	\$	39,918,610.00
103	(c) School Ad Valorem Tax Reduction Funds for:		
104	School Ad Valorem Tax Reduction Grants.....	\$	46,000,000.00
105	(d) Income derived from principal of the Education		
106	Improvement Trust Fund for:		
107	School for Math and Science.....	\$	1,585,653.00
108	(e) Technology in Classroom Fund 3203 for:		
109	Defraying the expenses of the State Department		
110	of Education, excluding the Vocational and		
111	Technical Education Division.....	\$	2,100,000.00
112	(g) Any Source Funds for:		
113	Walnut Grove Correctional Facility.....	\$	300,000.00
114	Providing technical assistance and training		
115	to local school districts in the development		
116	of behavior modification plans, and to provide		
117	funding to defray the costs of psychological		
118	evaluations performed upon a child in compliance		
119	with the Mississippi School Safety Act of 2001,		
120	provided that local school districts shall be		
121	required to report to the State Department of		
122	Education all expulsions of students as		
123	authorized under Section 6 of Senate Bill No.		
124	2239, 2001 Regular Session and the State Department		
125	of Education annually reports such to the		
126	Legislature by January of each year.....	\$	300,000.00

127 **SECTION 5.** Of the funds appropriated under the provisions of
128 this act and allocated to the Vocational and Technical Education
129 Division of the State Department of Education, funds are provided

130 for the following purposes:

131 (a) State General Funds for:

132 Transfer to the Mississippi Soil and Water

133 Conservation Commission to provide matching

134 funds to purchase soil conservation

135 equipment.....\$ 100,000.00

136 (b) Education Enhancement Funds for:

137 Defraying the expenses of the Vocational and

138 Technical Education Division of the State

139 Department of Education.....\$ 7,863,746.00

140 (c) Any Source Funds for:

141 Future Farmers of America Center.....\$ 100,000.00

142 Supporting technological methods for

143 agricultural programs.....\$ 1,300,000.00

144 Supporting Vocational and Technical Education

145 Programs as authorized in Section 37-31-13,

146 Mississippi Code of 1972, for a period in

147 excess of ten (10) months in a calendar

148 year.....\$ 229,684.00

149 **SECTION 6.** Of the funds appropriated under the provisions of

150 this act and allocated to the Mississippi Adequate Education

151 Program, funds are provided for the following purposes:

152 (a) Education Enhancement Fund for:

153 Mississippi Adequate Education Program\$ 106,496,845.00

154 (b) Interim School District Capital Expenditure

155 Fund for:

156 Mississippi Adequate Education Program.....\$ 50,000,000.00

157 (c) Public School Building Fund for:

158 Mississippi Adequate Education Program.....\$ 20,000,000.00

159 (d) Budget Contingency Fund for:

160 Mississippi Adequate Education Program.....\$ 181,736,306.00

161 **SECTION 7.** Of the funds appropriated under the provisions of

162 this act to the State Board of Education, not more than the

163 amounts set forth below shall be expended for the respective major

164 objects of expenditure or purposes of expenditure:

165 State Department of Education, excluding the Vocational and
166 Technical Education Division:

167 AUTHORIZED POSITIONS:

168	Permanent:	Full Time.....	470
169		Part Time.....	3
170	Time-Limited:	Full Time.....	77
171		Part Time.....	1

172 Vocation and Technical Education Division of the State Department
173 of Education:

174 AUTHORIZED POSITIONS:

175	Permanent:	Full Time.....	57
176		Part Time.....	0
177	Time-Limited:	Full Time.....	3
178		Part Time.....	0

179 Mississippi Schools for the Blind and Deaf:

180 MAJOR OBJECTS OF EXPENDITURE:

181 Personal Services:

182	Salaries, Wages and Fringe Benefits	\$ 7,851,396.00
183	Travel and Subsistence	113,572.00
184	Contractual Services	1,890,467.00
185	Commodities	452,071.00
186	Capital Outlay:	
187	Other Than Equipment	95,500.00
188	Equipment	341,082.00
189	Subsidies, Loans and Grants	<u>20,564.00</u>
190	Total	\$ 10,764,652.00

191 AUTHORIZED POSITIONS:

192	Permanent:	Full Time.....	195
193		Part Time.....	28
194	Time-Limited:	Full Time.....	3
195		Part Time.....	0

196 **SECTION 8.** It is the intention of the Legislature that, from
197 the funds provided herein to the State Board of Education, not
198 less than Twenty-one Million Dollars (\$21,000,000.00) shall be
199 expended for textbooks as defined in Section 37-43-1, Mississippi

200 Code of 1972. The State Department of Education shall report to
201 the Legislature the amount of expenditures for each school
202 district no later than October 31, 2004.

203 **SECTION 9.** The State Department of Education shall prepare
204 and present to the Joint Legislative Budget Committee and the
205 Department of Finance and Administration and make available to the
206 Legislature an accounting of program expenditures for all programs
207 once at the beginning of the legislative session and once at the
208 end of the fiscal year. The department at the same time shall
209 present a summary report for each program.

210 **SECTION 10.** No school district shall expend any funds
211 received under the School Ad Valorem Reduction Grant, unless such
212 school district has specifically identified the amount of said
213 grant within the published budget as required by Section 37-61-9,
214 Mississippi Code of 1972. The published budget shall include the
215 following statement: "Ad Valorem taxes will be \$_____ less as
216 a result of the Ad Valorem Reduction Grants enacted by the
217 Mississippi Legislature in 1992."

218 **SECTION 11.** Of the State General Funds provided herein to
219 the State Department of Education, excluding the Vocational and
220 Technical Education Division, for the purpose of providing
221 financial assistance for the education of exceptional children as
222 determined under Section 37-23-63, Mississippi Code of 1972,
223 children who are certified by the designated authority as
224 requiring inpatient care in a private intermediate care facility
225 for the mentally retarded or psychiatric residential treatment
226 facility, with Medicaid reimbursement, shall be eligible and
227 entitled to receive state financial assistance under the
228 provisions of Section 37-23-69, Mississippi Code of 1972, in an
229 amount not to exceed Five Thousand Dollars (\$5,000.00) from state
230 funds, per child per school year, if an approved private school is
231 operated as an integral part of the facility which provides
232 twenty-four (24) hours a day monitoring, treatment and education,
233 except that the State Department of Education is authorized to
234 pilot a fee-for-service based cost system for children served

235 through Millcreek Schools, Inc.

236 **SECTION 12.** The State Department of Education shall transfer
237 the designated amounts to the appropriate entities, which shall
238 assume full responsibility for the expenditure of these funds in
239 accordance with state laws and accept all responsibility for any
240 improper expenditure, which shall include the following:

241 National Guard Youth Challenge Program, World Class Teacher
242 Programs, USM Special Education Program, Soil and Water
243 Conservation Commission, Mississippi School Boards Association,
244 Mississippi Eye Screening Program - Vision Research Corp, Very
245 Special Arts, Arts Institute, Jackson State University Media
246 Center, Jobs for Mississippi Graduates, Mississippi Symphony,
247 University of Southern Mississippi Safe Schools Program,
248 Mississippi State University Center for Education Design, Writing
249 and Thinking Institute and Greater Columbus Early Learning Center.

250 **SECTION 13.** It is the intention of the Legislature that the
251 State Department of Education shall have the authority to accept,
252 budget and expend any source funds not to exceed Thirty Million
253 Dollars (\$30,000,000.00), that become available to the department
254 to carry out the provisions of those funds in a manner consistent
255 with the rules and regulations of the Department of Finance and
256 Administration.

257 **SECTION 14.** Of the funds provided herein for the purpose of
258 funding the Mississippi Adequate Education Program as determined
259 under Section 37-151-7, Mississippi Code of 1972, the base student
260 cost in Fiscal Year 2004 shall be Three Thousand Six Hundred
261 Twenty-nine Dollars (\$3,629.00).

262 **SECTION 15.** With the funds provided herein to the
263 Mississippi Schools for the Blind and Deaf, it is the intention of
264 the Legislature that the academic teachers at the Mississippi
265 School for the Deaf and the Mississippi School for the Blind shall
266 receive their annual increment.

267 **SECTION 16.** It is the intention of the Legislature that none
268 of the funds herein provided to the Mississippi Schools for the
269 Blind and Deaf shall be expended to hire any person on a

270 contractual basis, for any period for any purpose, without the
271 express prior approval of the State Personnel Director. The State
272 Personnel Director shall consider, in approving such contracts,
273 the availability of funds, the need for services, compliance with
274 the State Compensation Plan and the qualifications of the persons
275 offering to perform the services. Further, the State Fiscal
276 Officer shall not pay any warrant that is in violation of this
277 section.

278 **SECTION 17.** Of the funds provided herein to pay annual
279 compensation to the Chickasaw Cession counties, the sum of
280 Sixty-two Thousand One Hundred Ninety-one Dollars
281 (\$62,191.00), which is the aggregate sum that the school districts
282 in the Chickasaw Cession receive annually from interest payments
283 from the Chickasaw School Fund under Section 212, Mississippi
284 Constitution of 1890, shall be deducted from the allocations to
285 the school districts as provided in Section 29-3-137, Mississippi
286 Code of 1972, and shall be distributed among the school districts
287 in the Chickasaw Cession by the State Department of Education in
288 the manner that such interest payments were distributed during
289 Fiscal Year 1985.

290 **SECTION 18.** The following sum, or so much thereof as may be
291 necessary, is hereby appropriated out of any money in the State
292 General Fund not otherwise appropriated, to the Mississippi
293 Authority for Educational Television for the purpose of defraying
294 the expenses of said Authority, for the fiscal year beginning
295 July 1, 2003, and ending June 30, 2004\$ 5,647,017.00.

296 **SECTION 19.** The following sum, or so much thereof as may be
297 necessary, is hereby appropriated out of any money in the State
298 Treasury to the credit of the Mississippi Authority for
299 Educational Television which is comprised of special source funds
300 collected by or otherwise available to the Authority, for the
301 purpose of defraying the expenses of the Authority, for the fiscal
302 year beginning July 1, 2003, and ending June 30, 2004.....
303 \$ 5,858,164.00.

304 The special funds appropriated in this section include funds from

305 the following special fund sources:

306 Education Enhancement Fund\$ 1,644,067.00

307 **SECTION 20.** Of the funds appropriated under the provisions
308 of this act to the Mississippi Authority for Educational
309 Television, not more than the amounts set forth below shall be
310 expended for the respective major objects of expenditure or
311 purposes of expenditure:

312 MAJOR OBJECTS OF EXPENDITURE:

313 Personal Services:

314 Salaries, Wages and Fringe Benefits\$ 5,170,264.00

315 Travel and Subsistence 105,000.00

316 Contractual Services 4,794,084.00

317 Commodities 615,537.00

318 Capital Outlay:

319 Other Than Equipment 0.00

320 Equipment 820,096.00

321 Subsidies, Loans and Grants 200.00

322 Total\$ 11,505,181.00

323 AUTHORIZED POSITIONS:

324 Permanent: Full Time..... 124

325 Part Time..... 0

326 Time-Limited: Full Time..... 13

327 Part Time..... 0

328 **SECTION 21.** With the funds appropriated herein to the
329 Mississippi Authority for Educational Television, funds shall
330 first be used for the continuation of a full and complete
331 broadcast schedule of educational and instructional, professional
332 growth, and public service programs, with the production of new
333 films and programs to be secondary thereto.

334 **SECTION 22.** It is the intention of the Legislature that no
335 part of the funds provided herein to the Mississippi Authority for
336 Educational Television shall be transferred to, expended by, or
337 used, directly or indirectly, for the benefit of any public
338 relations, publicity or publication activities of any other state
339 agency, department or officer, nor shall any personnel paid or

340 equipment purchased with funds appropriated hereby be transferred
341 or assigned to any other state agency, department or officer for
342 public relations, publicity or publication activities of such
343 office.

344 **SECTION 23.** It is the intention of the Legislature that the
345 Mississippi Authority for Educational Television shall have the
346 authority to expend funds in the Capital Equipment Replacement
347 Revolving Fund, in accordance with Section 37-63-17, Mississippi
348 Code of 1972, for the purpose of purchasing technical equipment
349 for operating the educational radio and television facilities.

350 **SECTION 24.** It is the intention of the Legislature that the
351 Mississippi Authority for Educational Television shall have the
352 authority to escalate, budget and expend funds from any source not
353 to exceed Two Million Dollars (\$2,000,000.00) in accordance with
354 rules and regulations of the Department of Finance and
355 Administration in a manner consistent with the escalation of
356 federal funds.

357 **SECTION 25.** The following sum, or so much thereof as may be
358 necessary, is hereby appropriated out of any money in the State
359 General Fund not otherwise appropriated, to the Mississippi
360 Library Commission for the purpose of defraying the expenses of
361 said Commission, for the fiscal year beginning July 1, 2003,
362 and ending June 30, 2004.....\$ 10,212,800.00.

363 **SECTION 26.** The following sum, or so much thereof as may be
364 necessary, is hereby appropriated out of any money in the State
365 Treasury to the credit of the Mississippi Library Commission which
366 is comprised of special source funds collected by or otherwise
367 available to the Commission, for the purpose of defraying the
368 expenses of the Commission, for the fiscal year beginning July 1,
369 2003, and ending June 30, 2004.....\$ 2,879,290.00.

370 The special funds appropriated in this section include funds
371 from the following special fund sources:

372 Education Enhancement Fund.....\$ 493,847.00

373 **SECTION 27.** Of the funds appropriated under the provisions
374 of this act to the Mississippi Library Commission, not more than

375 the amounts set forth below shall be expended for the respective
376 major objects of expenditure or purposes of expenditure:

377 MAJOR OBJECTS OF EXPENDITURE:

378 Personal Services:

379 Salaries, Wages and Fringe Benefits\$ 2,130,078.00

380 Travel and Subsistence 36,000.00

381 Contractual Services 1,888,620.00

382 Commodities 293,950.00

383 Capital Outlay:

384 Other Than Equipment 0.00

385 Equipment 0.00

386 Subsidies, Loans and Grants 8,743,442.00

387 Total\$ 13,092,090.00

388 AUTHORIZED POSITIONS:

389 Permanent: Full Time..... 48

390 Part Time..... 0

391 Time-Limited: Full Time..... 0

392 Part Time..... 0

393 **SECTION 28.** It is the intention of the Legislature that of
394 the funds provided herein to the Mississippi Library Commission,
395 funds to be distributed to eligible public library systems under
396 the Personnel Incentive Grants Program shall be paid quarterly in
397 advance on or before September 30, December 31, March 31 and
398 June 30.

399 **SECTION 29.** It is the intention of the Legislature that the
400 Mississippi Library Commission shall have the authority to
401 escalate, budget and expend funds from any source not to exceed
402 Three Million Dollars (\$3,000,000.00) in accordance with rules and
403 regulations of the Department of Finance and Administration in a
404 manner consistent with the escalation of federal funds.

405 **SECTION 30.** Of the funds provided herein to the Mississippi
406 Library Commission, not less than One Million Eighty-six Thousand
407 Three Hundred Forty Dollars (\$1,086,340.00) shall be expended for
408 the Magnolia Database.

409 **SECTION 31.** The following sum, or so much thereof as may be

410 necessary, is hereby appropriated out of any money in the State
 411 General Fund not otherwise appropriated, to the State Board for
 412 Community and Junior Colleges for the purpose of defraying the
 413 administrative expenses of the Board and for the aid and support
 414 of the public community and junior colleges for the fiscal year
 415 beginning July 1, 2003, and ending June 30, 2004.....
 416\$ 137,173,576.00.

417 **SECTION 32.** The following sum, or so much thereof as may be
 418 necessary, is hereby appropriated out of any money in the State
 419 Treasury to the credit of the State Board for Community and Junior
 420 Colleges, to the State Board for Community and Junior Colleges,
 421 and authorized for expenditure out of the proceeds from any
 422 federal, student fees or other special source funds, for the
 423 purpose of defraying the administrative expenses of the Board and
 424 for the aid and support of the public community and junior
 425 colleges for the fiscal year beginning July 1, 2003, and ending
 426 June 30, 2004.....\$249,031,882.00.

427 **SECTION 33.** Of the funds appropriated under the provisions
 428 of this act and allocated to the State Board for Community and
 429 Junior Colleges, funds are provided for the following purposes:

430 (a) State General Funds for:

431	Administrative expenses of the board	\$	14,382,403.00
432	Aid and support of the public and community		
433	junior colleges.....	\$	100,384,457.00
434	Hiring nursing and allied health teachers,		
435	awarding interest free nursing and allied		
436	health student loans, and providing instructional		
437	support for the Rural Health Corps.....	\$	1,200,000.00
438	Funding life and health insurance for all		
439	employees of the public community and junior		
440	colleges.....	\$	12,728,506.00
441	Establishing and operating One-Stop Career		
442	Centers at each public community and junior		
443	college.....	\$	4,500,000.00
444	Defraying the cost of Sign Language		

445	Interpreter Training at public community	
446	and junior colleges.....	\$ 179,050.00
447	Defraying the cost of the Educational	
448	Technology Program.....	\$ 3,599,160.00
449	Defraying the cost of the Golden Triangle Education	
450	Center for Manufacturing Technology.....	\$ 100,000.00
451	Defraying the cost of the Mississippi Delta	
452	Community College Industrial Training	
453	Program.....	\$ <u>100,000.00</u>
454	Total	\$ 122,791,173.00
455	(b) Commission on Proprietary School and College	
456	Registration Fund for:	
457	Regulation and administration of the Mississippi	
458	Proprietary School and College Registration	
459	Law, and associated expenses.....	\$ 60,000.00
460	(c) Workforce Carryover Fund for:	
461	Administrative expenses of the board.....	\$ 500,000.00
462	(d) Community College Network Fees for:	
463	Administrative expenses of the board.....	\$ 125,000.00
464	(e) Duplicate transcripts and duplicate diploma	
465	issuance fees for:	
466	Administrative expenses of the board.....	\$ 100,000.00
467	(f) Workforce On-Line Training Program fees for:	
468	Administrative expenses of the board.....	\$ 300,000.00
469	(g) Education Enhancement Fund for:	
470	Aid and support of public community and	
471	junior colleges.....	\$ 27,415,398.00
472	Servicing debt on bonds issued for the Education	
473	Technology Program.....	\$ <u>3,148,591.00</u>
474	Total	\$ 30,563,989.00
475	(h) Insurance Carryover Fund No. 3295 for:	
476	Fully funding life and health insurance for	
477	all employees of the public community	
478	and junior colleges.....	\$ 200,000.00
479	(i) Other Special Source Funds for:	

480 Administrative expenses of the board.....\$ 9,900,869.00
 481 Aid and support for public community and
 482 junior colleges.....\$ 207,282,024.00

483 **SECTION 34.** With the funds appropriated under the provisions
 484 of this act to the State Board for Community and Junior Colleges,
 485 the following positions are authorized:

486 AUTHORIZED POSITIONS:

487	Permanent:	Full Time.....	41
488		Part Time.....	1
489	Time-Limited:	Full Time.....	0
490		Part Time.....	0

491 **SECTION 35.** Of the funds appropriated under the provisions
 492 of this act and allocated to paying administrative expenses of the
 493 State Board for Community and Junior Colleges, funds in the amount
 494 of Seventeen Million Six Hundred One Thousand One Hundred
 495 Sixty-four Dollars (\$17,601,164.00) are provided for the Workforce
 496 Education Program and Industrial Training. No funding obligation
 497 or commitment shall be made on behalf of the state for industrial
 498 training beyond the level of funding made available in this
 499 section. All industrial training program commitments made in
 500 Fiscal Year 2004 and future fiscal years shall be based only upon
 501 funds available in this section and any proposed commitments shall
 502 be approved by the Executive Director of the State Board for
 503 Community and Junior Colleges, or the Executive Director's
 504 designee prior to such commitment being finalized. Industrial
 505 training program commitments shall be made and based only upon
 506 training services provided and not for a specific funding amount.
 507 Any expenditures of funds authorized in this section are limited
 508 to obligations made July 1, 2003, or after, and shall not be
 509 expended for obligations made prior to this date.

510 **SECTION 36.** The funds appropriated under the provisions of
 511 this act and allocated for the purpose of hiring nursing and
 512 allied health teachers, awarding interest free nursing and allied
 513 health student loans, and providing instructional support for the
 514 Rural Health Corps shall be allocated as follows:

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

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

523 The public community and junior colleges shall prepare and
524 make available to the Legislature and the Legislative Budget
525 Office an accounting of expenditures and program accomplishments
526 of the Rural Health Corps Program for each of the individual
527 community and junior colleges in a format and manner prescribed by
528 the Legislative Budget Office.

529 **SECTION 37.** The funds appropriated under the provisions of
530 this act and allocated for funding life and health insurance for
531 all employees of the public community and junior colleges shall
532 only be used to participate in the State and School Employees'
533 Life and Health Insurance Plan, and any of these funds which are
534 not expended during the fiscal year shall be carried forward for
535 the same purposes during the next succeeding fiscal year.

536 **SECTION 38.** A Mississippi Prepaid Affordable College Tuition
537 (MPACT) program beneficiary shall be considered a Mississippi
538 resident for the purposes of participating in funds appropriated
539 herein to the State Board for Community and Junior Colleges
540 regardless of the beneficiary's residence on the date of
541 enrollment, as set out in Mississippi Code Annotated, Section
542 37-155-5(d)(iii).

543 **SECTION 39.** It is the intention of the Legislature that the
544 State Board of Community and Junior Colleges is hereby authorized
545 to accept, budget and expend funds from any source in an amount
546 not to exceed Five Hundred Thousand Dollars (\$500,000.00) in
547 accordance with rules and regulations of the Department of Finance
548 and Administration in a manner consistent with the escalation of
549 federal funds.

550 **SECTION 40.** The funds appropriated in this act for the aid
551 and support of the public and community junior colleges shall be
552 apportioned in accordance with the followed assigned weights:

553	<u>Formula Section</u>	<u>Assigned Weight</u>
554	(1) Aid to Colleges Base	5% of prior year
555		appropriation
556	Academic	1.0
557	Technical	1.19
558	Virtual Community College	.55
559	(2) Vocational	.38
560	(3) Part-time	.55
561	(4) Associate Degree Nursing	1.0

562 Such Academic, Technical, and Vocational funds shall be
563 disbursed to such public community and junior colleges on the
564 basis of the full-time enrollment of each such public community
565 and junior college as of the last day of the sixth week of the
566 fall semester or its equivalent of the preceding year, counting
567 only students who reside within the State of Mississippi.

568 Part-time academic vocational and technical credit courses may
569 qualify on the basis of the prior year full-time equivalency of
570 part-time and summer students, counting only students who reside
571 within the State of Mississippi.

572 Virtual Community College hosted and provided courses may
573 qualify on the basis of the prior year full-time equivalency of
574 virtual community college hours generated during the summer, fall
575 and spring semesters that did not make a student full-time in the
576 fall semester.

577 The Director of the State Board for Community and Junior
578 Colleges, or his designee, shall audit each public community and
579 junior college and shall determine who shall be counted in each
580 college and shall certify the number to the State Board for
581 Community and Junior Colleges.

582 If, pending determination of the enrollment of students at
583 the public community and junior colleges entitled to participate
584 in this appropriation, as provided for in this subsection, the

585 State Board for Community and Junior Colleges shall find and
586 determine that any such public or community junior college does
587 not have sufficient funds on hand for payment of the necessary
588 expenses of its operation for the period commencing July 1, 2003,
589 until distribution of the funds appropriated hereby, then, in that
590 event, the State Board for Community and Junior Colleges is
591 expressly authorized to make an advance to any such public
592 community or junior college or colleges not having sufficient
593 operating funds for such period from the funds appropriated
594 hereby; provided, however, that the amount of any such advance to
595 any one public community or junior college shall not exceed
596 thirty-three percent (33%) of the amount of state appropriated
597 funds received by such public community or junior college during
598 the preceding fiscal year; and provided, further, that the amount
599 of any such advance shall be deducted from the pro rata part of
600 the funds appropriated hereby accruing to said public community or
601 junior college when enrollment has been ascertained and
602 distribution of funds is made.

603 **SECTION 41.** No part of the amount herein appropriated for
604 the aid and support of public community and junior colleges shall
605 be used by the State Board for Community and Junior Colleges for
606 administrative or other purposes except in the manner and to the
607 extent authorized in the act making an appropriation for the
608 expenses of the State Board for Community and Junior Colleges.

609 **SECTION 42.** The following public community and junior
610 colleges which qualify shall participate in the funds provided in
611 this act for the aid and support of public community and junior
612 colleges:

613 Coahoma Community College, Copiah-Lincoln Community College,
614 East Central Community College, East Mississippi Community
615 College, Hinds Community College District, Holmes Community
616 College, Itawamba Community College, Jones County Junior College,
617 Meridian Community College, Mississippi Delta Community College,
618 Mississippi Gulf Coast Community College District, Northeast
619 Mississippi Community College, Northwest Mississippi Community

620 College, Pearl River Community College, and Southwest Mississippi
621 Community College.

622 **SECTION 43.** The following sum, or so much thereof as may be
623 necessary, is hereby appropriated out of any money in the State
624 General Fund not otherwise appropriated, to the Board of Trustees
625 of State Institutions of Higher Learning for the purpose of
626 support, maintenance, and repairs at the state-supported
627 institutions of higher learning, those being Mississippi State
628 University, University of Mississippi, Mississippi University for
629 Women, University of Southern Mississippi, Delta State University,
630 Alcorn State University, Jackson State University, and Mississippi
631 Valley State University, and programs operated by those
632 institutions; for support of student financial aid programs
633 authorized by law; for support of the University Research Center,
634 the Education and Research Center, the Executive Office of the
635 Board of Trustees, the Mississippi Volunteer Commission; and
636 related programs, for the fiscal year beginning July 1, 2003, and
637 ending June 30, 2004\$ 509,607,073.00.

638 **SECTION 44.** The following sum, or so much thereof as may be
639 necessary, is hereby appropriated out of any money in the State
640 Treasury to the credit of the Board of Trustees of State
641 Institutions of Higher Learning or any institution or program
642 administered by the Board; and out of the proceeds from any
643 federal, student fees or other special source funds, not otherwise
644 appropriated, to the Board of Trustees of State Institutions of
645 Higher Learning for the purpose of support of the state-supported
646 institutions of higher learning, those being Mississippi State
647 University, University of Mississippi, Mississippi University for
648 Women, University of Southern Mississippi, Delta State University,
649 Alcorn State University, Jackson State University, and Mississippi
650 Valley State University, and programs operated by those
651 institutions; for support of student financial aid programs
652 authorized by law; for support of the University Research Center,
653 the Education and Research Center, the Executive Office of the
654 Board of Trustees, the Mississippi Volunteer Commission; and

655 related programs, for the fiscal year beginning July 1, 2003, and
656 ending June 30, 2004.....\$967,783,166.00.

657 **SECTION 45.** Of the funds appropriated under the provisions
658 of this act and allocated to the Board of Trustees of State
659 Institutions of Higher Learning, funds are provided for the
660 following purposes:

661 (a) State General Funds for:

662	General support, maintenance, and repairs at	
663	the state-supported institutions of higher	
664	learning.....\$	269,384,815.00
665	Financial aid scholarship, loan and grant programs	
666	authorized by law and administered by the	
667	Mississippi Office of Student Financial Aid,	
668	and for support of the Mississippi Office	
669	of Student Financial Aid.....\$	27,527,008.00
670	University Research Center and the Mississippi	
671	Automated Resource Information System	
672	(MARIS).....\$	2,282,413.00
673	Education and Research Center.....\$	828,770.00
674	College of Veterinary Medicine at Mississippi	
675	State University.....\$	12,898,652.00
676	University of Mississippi Medical Center	\$ 132,966,872.00
677	Mississippi Cooperative Extension Service	\$ 20,961,377.00
678	Mississippi Agricultural and Forestry	
679	Experiment Station.....\$	19,014,060.00
680	Mississippi Forest and Wildlife Research	
681	Center.....\$	4,940,189.00
682	Alcorn State University Agricultural Programs ..	\$ 4,377,577.00
683	Executive Office of the Board of Trustees	\$ 2,446,476.00
684	Mississippi Mineral Resources Research	
685	Institute.....\$	439,188.00
686	Mississippi Law Research Institute.....\$	687,787.00
687	Gulf Coast Research Laboratory.....\$	3,129,206.00
688	Water Resources Institute.....\$	82,260.00
689	Mississippi State Chemical Laboratory.....\$	1,184,411.00

690	Research Institute of Pharmaceutical Science ...\$	3,420,286.00
691	Supercomputer.....\$	1,219,059.00
692	Polymer Institute.....\$	480,284.00
693	Small Business Development Center.....\$	343,380.00
694	Stennis Center for Higher Learning.....\$	348,564.00
695	Jackson State University Urban Research Center..\$	251,526.00
696	Commission for Volunteer Services.....\$	176,884.00
697	Stennis Institute of Government.....\$	<u>216,029.00</u>
698	Total.....\$	509,607,073.00
699	(b) Education Enhancement Funds for:	
700	General support, maintenance, and repairs at	
701	the state-supported institutions of higher	
702	learning.....\$	37,159,988.00
703	Education and Research Center	407,941.00
704	College of Veterinary Medicine at Mississippi	
705	State University.....\$	603,725.00
706	University of Mississippi Medical Center	3,854,830.00
707	Mississippi Cooperative Extension Service	1,222,596.00
708	Mississippi Agricultural and Forestry	
709	Experiment Station.....\$	1,461,204.00
710	Mississippi Forest and Wildlife Research	
711	Center.....\$	322,193.00
712	Alcorn State University Agricultural Programs ..\$	21,097.00
713	Executive Office of the Board of Trustees	87,801.00
714	Mississippi Mineral Resources Research	
715	Institute.....\$	24,035.00
716	Mississippi Law Research Institute.....\$	54,913.00
717	Gulf Coast Research Laboratory.....\$	196,650.00
718	Water Resources Institute.....\$	8,740.00
719	Mississippi State Chemical Laboratory.....\$	161,595.00
720	Research Institute of Pharmaceutical Science....\$	100,510.00
721	Stennis Center for Higher Learning.....\$	95,000.00
722	Commission for Volunteer Services.....\$	92,150.00
723	Stennis Institute of Government.....\$	<u>46,550.00</u>
724	Total.....\$	45,921,518.00

725	(c) Budget Contingency Funds for:	
726	General support, maintenance, and repairs at	
727	the state-supported institutions of higher	
728	learning.....	\$ 12,554,000.00
729	Total.....	\$ 12,554,000.00
730	(d) State Court Education Program Funds in the	
731	State Treasury for:	
732	State Court Education Program.....	\$ 1,467,049.00
733	(e) Mississippi Alcohol Safety Program Fund in	
734	the State Treasury for:	
735	Mississippi Alcohol Safety Program.....	\$ 150,000.00
736	(f) Carryover Fund No. 325E for:	
737	Mississippi Resident Tuition Assistance Grant and	
738	Mississippi Eminent Scholar Grant Programs.\$	650,000.00
739	(g) Other Special Source Funds for:	
740	General support, maintenance, and repairs at	
741	the state-supported institutions of higher	
742	learning.....	\$ 340,080,352.00
743	Financial aid scholarship, loan and grant programs	
744	authorized by law and administered by the	
745	Mississippi Office of Student Financial Aid,	
746	and for support of the Mississippi Office	
747	of Student Financial Aid.....	\$ 7,646,404.00
748	University Research Center and the Mississippi	
749	Automated Resource Information System	
750	(MARIS)	\$ 859,193.00
751	College of Veterinary Medicine at Mississippi	
752	State University.....	\$ 4,641,259.00
753	University of Mississippi Medical Center	\$ 475,147,845.00
754	Mississippi Cooperative Extension Service	\$ 13,494,680.00
755	Mississippi Agricultural and Forestry	
756	Experiment Station.....	\$ 6,407,974.00
757	Mississippi Forest and Wildlife Research Center.\$	766,560.00
758	Executive Office of the Board of Trustees	\$ 23,282,437.00
759	Mississippi Alcohol Safety Program	\$ 1,076,491.00

760	Mississippi Mineral Resources Research		
761	Institute.....	\$	8,595,387.00
762	Mississippi Law Research Institute.....	\$	352,636.00
763	Gulf Coast Research Laboratory.....	\$	1,774,771.00
764	Mississippi State Chemical Laboratory.....	\$	390,000.00
765	Research Institute of Pharmaceutical Science ...	\$	7,305,162.00
766	Polymer Institute.....	\$	38,667.00
767	Small Business Development Center.....	\$	835,772.00
768	Commission for Volunteer Services.....	\$	8,301,433.00
769	Stennis Institute of Government.....	\$	<u>143,576.00</u>
770	Total.....	\$	901,140,599.00

771 (h) Ayers Endowment Interest Fund No. 3258 for:

772 The purposes as set out by the courts in the

773 Ayers Case for:

774	Alcorn State University	\$	300,000.00
775	Jackson State University	\$	300,000.00
776	Mississippi Valley State University	\$	<u>300,000.00</u>
777	Total.....	\$	900,000.00

778 (i) Ayers Settlement Fund, created by House Bill

779 No. 1471, 2001 Regular Session, for:

780 Establishing an Ayers settlement endowment fund

781 to comply with the Settlement Agreement in

782 the case of Ayers v. Musgrove.....\$ 5,000,000.00

783 **SECTION 46.** Upon the Ayers Settlement Agreement becoming
784 final and effective according to its terms (including, but not
785 limited to, the exhaustion of all rights to appeal), it is the
786 intention of the Legislature that the Five Million Dollars
787 (\$5,000,000.00) appropriated in this act from the Ayers Settlement
788 Fund, created by House Bill No. 1471, 2001 Regular Session, is
789 hereby authorized for use by the Board of Trustees of State
790 Institutions of Higher Learning for the purpose of establishing an
791 Ayers settlement endowment fund to comply with the Settlement
792 Agreement in the case of Ayers v. Musgrove.

793 **SECTION 47.** Of the funds provided herein to the Board of
794 Trustees of State Institutions of Higher Learning, the following

795 amount, or so much thereof as may be necessary, shall be expended
796 by the Board of Trustees of State Institutions of Higher Learning
797 for the purpose of defraying the costs associated with
798 Ayers-related programs at Alcorn State University, Jackson State
799 University and Mississippi Valley State University; interest on
800 the Ayers Endowment Fund and any other Ayers-related activities
801 associated with the implementation of the Remedial Decree of the
802 District Courts.....\$ 14,246,000.00.

803 **SECTION 48.** It is the intention of the Legislature that upon
804 the Ayers Settlement Agreement becoming final and effective
805 according to its terms (including, but not limited to, the
806 exhaustion of all rights to appeal), funds necessary to comply
807 with the Ayers Settlement Agreement shall be appropriated in the
808 next Legislative Session.

809 **SECTION 49.** It is the intent of the Legislature that the
810 Board of Trustees of State Institutions of Higher Learning shall
811 allocate funds to the off-campus centers based on a minimum rate
812 of sixty-five percent (65%) of the on-campus cost of a full-time
813 equivalent student. The on-campus distribution is to be
814 determined without regard to the costs incurred by any one or more
815 of them in the operation of off-campus degree completing centers'
816 classes. Off-campus centers which are operated jointly by two (2)
817 or more institutions, the amount allocated to such centers shall
818 be prorated among the institutions jointly operating such centers
819 based on the full-time equivalent enrollment of such centers.

820 The board of trustees shall insure that the off-campus
821 centers are not charged with any indirect or overhead cost
822 prorated from any on-campus activity. It is the intent of the
823 Legislature that the on-campus operations charge the off-campus
824 centers with only actual direct charges.

825 **SECTION 50.** Of the State General Funds provided herein to
826 the Board of Trustees of State Institutions of Higher Learning for
827 the general support and maintenance of the state-supported
828 institutions, the amount of One Hundred Fifty-seven Thousand Five
829 Hundred Dollars (\$157,500.00) shall be used for the promotion and

830 expenses of the Mississippi Governor's School for the Gifted and
831 Talented.

832 Provided, however, that the Board of Trustees of State
833 Institutions of Higher Learning shall develop the governing policy
834 for faculty, course content and facilities selection on a
835 competitive basis from all Mississippi senior colleges and
836 universities. The Mississippi Governor's School for the Gifted
837 and Talented shall accept not less than one (1) high school
838 student nominee from each accredited high school in Mississippi.
839 The nominees, selected under criteria developed and adopted by the
840 Board of Trustees of State Institutions of Higher Learning, shall
841 be provided a three-week tuition-free program.

842 The Board of Trustees of State Institutions of Higher
843 Learning shall compile and publish the report of the statewide
844 evaluation committee on the leadership impact of graduates of this
845 school. This report is to be a continuing study on the youthful
846 leadership of the state.

847 **SECTION 51.** Of the State General Funds provided herein to
848 the Board of Trustees of State Institutions of Higher Learning for
849 the general support and maintenance of the state-supported
850 institutions, the amount of Two Hundred Twenty-five Thousand
851 Dollars (\$225,000.00) shall be used for the promotion and expenses
852 of the Teacher Corps.

853 **SECTION 52.** Of the State General Funds provided herein to
854 the Board of Trustees of State Institutions of Higher Learning for
855 the general support and maintenance of the state-supported
856 institutions, the following amounts shall be used as set forth:

- 857 (a) For Mississippi State University as interest
858 on agricultural land script fund and interest
859 on the sale of university land.....\$ 14,387.00
860 (b) For the University of Mississippi as interest
861 on the original seminary fund.....\$ 32,643.00
862 (c) For the University of Mississippi as interest
863 on the 1904 land grant fund.....\$ 9,965.00
864 (d) For the University of Mississippi as interest

865 on the LaBauve Fund.....\$ 1,420.00

866 (d) For the Mississippi University for Women as

867 interest on funds paid into the State

868 Treasury as proceeds of sale of land

869 donated to the Industrial Institute and

870 College by the United States Government.....\$ 9,389.00

871 (e) For Alcorn State University as interest on

872 land script and land sales funds.....\$ 12,592.00

873 **SECTION 53.** Of the funds provided herein for support of the

874 Gulf Coast Research Laboratory, the Board of Trustees of State

875 Institutions of Higher Learning shall allocate for Sea Grants

876 matching One Hundred Seventy-five Thousand Dollars (\$175,000.00)

877 for the Fiscal Year 2004.

878 Provided further, it is the intention of the Legislature, in

879 the event budget reductions are imposed on the Gulf Coast Research

880 Laboratory by the Board of Trustees of State Institutions of

881 Higher Learning, as a result of the Governor ordering budget

882 reductions under the provisions of Section 27-104-13 or 31-17-123,

883 Mississippi Code of 1972, the same percent reduction will be

884 applied to those state funds identified in this section for Sea

885 Grant match.

886 **SECTION 54.** It is the intention of the Legislature that

887 after the Mississippi State Chemical Laboratory has provided the

888 maximum amount of services which may be provided free of charge

889 under the provisions of Section 57-21-11(c), Mississippi Code of

890 1972, the laboratory shall not provide any additional services

891 from the funds provided herein for the laboratory's support if any

892 charges for such services previously provided are more than ninety

893 (90) days past due. After all such delinquent charges have been

894 paid by a client, the laboratory may provide additional services

895 to the client.

896 **SECTION 55.** It is the intention of the Legislature that the

897 Board of Trustees of State Institutions of Higher Learning shall

898 ensure that none of the funds apportioned in this act for the

899 Out-of-State Educational Program shall be paid to or for the

900 benefit of any student who enters a school outside the State of
901 Mississippi for the first time, subsequent to July 1, 1982, in any
902 discipline in the fields of medicine or dentistry.

903 **SECTION 56.** It is the intention of the Legislature that of
904 the State General Funds provided herein for financial aid programs
905 authorized by law, the Board of Trustees of the State Institutions
906 of Higher Learning shall expend from the support of the
907 out-of-state graduate and professional studies program an amount
908 not exceeding the funding necessary, contingent upon the
909 availability of qualified applicants, for ten (10) new entering
910 optometry students and the number of returning optometry students
911 who received funding under the program during the preceding school
912 year; for ten (10) new entering chiropractic students, with not
913 more than twenty-five (25) chiropractic students overall; and
914 seven (7) new entering osteopathic medical students and the number
915 of returning osteopathic medical students who received funding
916 under the program during the preceding school year, for these
917 courses of study.

918 **SECTION 57.** In the allocation of funds provided herein to
919 the Board of Trustees of State Institutions of Higher Learning for
920 financial aid programs authorized by law, it is the intention of
921 the Legislature that priority shall be given and funds shall be
922 first allocated to all students eligible for financial aid under
923 the provisions of Sections 37-107-1 through 37-107-7 and Sections
924 37-108-1 through 37-108-5, Mississippi Code of 1972.

925 **SECTION 58.** It is the intention of the Legislature that all
926 funds provided herein to the Board of Trustees of State
927 Institutions of Higher Learning for financial aid programs
928 authorized by law shall be accounted for in a detailed statement
929 showing when, to whom, and for what purpose applied, and this
930 statement shall be submitted at the next regular session of the
931 Legislature within ten (10) days after the convening thereof. A
932 report of loans made and receipt of repayment of loans to the fund
933 shall be reported. The amount of repayment that is in arrears
934 shall also be included. Such report shall include the number of

935 students at each institution receiving financial assistance and
936 the amount of such assistance, and an estimate of the financial
937 requirement of the various loan programs for the next year. No
938 public or private institution of higher learning receiving funds
939 under the respective provisions of this act, for the purpose of
940 issuing scholarship grants or loans, shall issue any official
941 transcripts for any persons who have any amount of repayment in
942 arrears on that date such official transcript is requested.

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

946 **SECTION 59.** It is the intention of the Legislature that all
947 fees charged and collected by the University Research Center for
948 services provided by the Mississippi Automated Resource
949 Information System (MARIS) shall be deposited in a special fund to
950 be known as the "Mississippi Automated Resource Information System
951 (MARIS) Revolving Fund." All monies in the revolving fund shall
952 be used by MARIS exclusively for the support of MARIS projects and
953 activities.

954 **SECTION 60.** With the funds provided herein for the support
955 of the University of Mississippi Medical Center, the following
956 shall be maintained: the School of Medicine, the School of
957 Dentistry, the School of Nursing, the School of Health Related
958 Professions, the Teaching Hospital and the Medical Center Service
959 Area. The University of Mississippi Medical Center shall prepare
960 and make available to the Legislature an accounting of
961 expenditures for each of the divisions listed in this section at
962 the beginning of the legislative session.

963 **SECTION 61.** Due to critical nurse shortages and staffing, it
964 is the intent of the Legislature to enhance recognition of
965 excellence and expand the experience factor in attracting
966 qualified registered nurses.

967 **SECTION 62.** Of the funds provided herein for the University
968 of Mississippi Medical Center, none may be used to provide medical
969 services on behalf of any state agency, institution or political

970 subdivision, except to the extent that such agency, institution or
971 political subdivision reimburses the hospital for the cost of the
972 services provided. Upon the rendering of medical services to any
973 such agency, institution or political subdivision, the hospital
974 shall issue an invoice for the charges which shall be paid within
975 ninety (90) days. In the event that payment is not made within
976 ninety (90) days, the hospital shall discontinue providing
977 services to that agency, institution, or political subdivision
978 until all outstanding charges have been paid.

979 **SECTION 63.** With the funds provided herein to the
980 Mississippi Cooperative Extension Service, it is the intention of
981 the Legislature that the Mississippi Cooperative Extension Service
982 provide programs in the emphasis areas of Agriculture, Home
983 Economics, 4-H, and Community Resource Development in each county.

984 **SECTION 64.** It is the intention of the Legislature that of
985 the funds provided herein for the Alcorn State University
986 Agricultural Programs, none shall be used for the purpose of
987 defraying the expenses of the Agribusiness Council.

988 **SECTION 65.** It is the intention of the Legislature that of
989 the funds provided herein for the Alcorn State University
990 Agricultural Programs, an amount of Two Hundred Thousand Dollars
991 (\$200,000.00) shall be used for the Mississippi Natural Products
992 Association, Incorporated.

993 **SECTION 66.** It is the intention of the Legislature that the
994 Board of Trustees of State Institutions of Higher Learning shall
995 first use special funds to the greatest extent possible to defray
996 the costs of providing remediation at the state-supported
997 institutions of higher learning.

998 **SECTION 67.** It is the intention of the Legislature that none
999 of the funds provided herein to the Board of Trustees of State
1000 Institutions of Higher Learning shall be expended for any purpose
1001 that is not actually required or necessary for performing any of
1002 the powers or duties of the Board of Trustees of State
1003 Institutions of Higher Learning, or any of the powers or duties of
1004 any institution under the jurisdiction of the board of trustees,

1005 that are authorized by the Mississippi Constitution of 1890, state
1006 or federal law, or rules or regulations that implement state or
1007 federal law.

1008 **SECTION 68.** The Board of Trustees of State Institutions of
1009 Higher Learning shall submit to the Committee on Appropriations of
1010 both houses of the Mississippi Legislature by January 1, 2004, a
1011 consolidated report for all the several institutions under its
1012 jurisdiction, on forms and in a manner to be prescribed by the
1013 Legislative Budget Committee, which reflects the anticipated
1014 current restricted fund revenues for the 2004 fiscal year, and the
1015 budgeted use of such current restricted funds by major object
1016 category. For purposes of this section, the term "current
1017 restricted funds" shall be defined as those public funds available
1018 for financing university operations which are limited by the
1019 donor, or by an agency external to the Board of Trustees of State
1020 Institutions of Higher Learning, to specific purposes, programs,
1021 departments or schools, but shall not include endowment funds or
1022 private gifts exempted under the provisions of Section 27-103-5,
1023 Mississippi Code of 1972.

1024 **SECTION 69.** It is the intention of the Legislature that the
1025 Board of Trustees of State Institutions of Higher Learning
1026 continue to review, and eliminate when possible, duplicating
1027 programs and degrees in the existing institutions of higher
1028 learning in this state.

1029 **SECTION 70.** It is the intention of the Legislature that the
1030 Board of Trustees of State Institutions shall ensure that no state
1031 appropriations or student tuition and fee receipts, except those
1032 specifically charged for the provision of the services, shall be
1033 used to support auxiliary enterprises, with the exception of
1034 intercollegiate athletics at a level designated by the board of
1035 trustees. It is the intent of the Legislature that auxiliary
1036 enterprises shall be self-supporting; and that deficits not be
1037 taken from funds intended for instruction and academic programs.

1038 **SECTION 71.** It is the intention of the Legislature that none
1039 of the funds provided herein to the Board of Trustees of State

1040 Institutions of Higher Learning shall be spent to defray tuition
1041 cost or subsidize in any way the direct cost of education,
1042 ordinarily paid by the student, of any nonresident alien enrolled
1043 in any state-supported institution of higher learning in the State
1044 of Mississippi. However, this will not apply to any nonresident
1045 alien student if the United States has a reciprocal agreement with
1046 their country on subsidizing the education of a United States
1047 citizen student.

1048 **SECTION 72.** The Board of Trustees of State Institutions of
1049 Higher Learning shall report yearly to the Legislature the
1050 institution compliance with Section 97-11-51, Mississippi Code of
1051 1972, which prohibits deficit spending.

1052 **SECTION 73.** It is the intention of the Legislature that the
1053 Board of Trustees of State Institutions of Higher Learning shall
1054 ensure that any funds appropriated pursuant to this act and paid
1055 as a fee to or deposited in a financial institution shall be in
1056 compliance with Section 109 of the Constitution of the State of
1057 Mississippi and Section 25-4-103, Mississippi Code of 1972.

1058 **SECTION 74.** With the funds herein appropriated to the State
1059 Board of Education, the Mississippi Authority for Educational
1060 Television, and the Mississippi Library Commission, it is the
1061 intention of the Legislature that it shall be the agency's
1062 responsibility to make certain that funds required to be
1063 appropriated for "Personal Services" for Fiscal Year 2005 do not
1064 exceed Fiscal Year 2004 funds appropriated for that purpose,
1065 unless programs or positions are added to the agency's Fiscal Year
1066 2005 budget by the Mississippi Legislature. Based on data
1067 provided by the Legislative Budget Office, the State Personnel
1068 Board shall determine and publish the projected annual cost to
1069 fully fund all appropriated positions in compliance with the
1070 provisions of this act. It shall be the responsibility of the
1071 agency head to insure that no single personnel action increases
1072 this projected cost and/or the Fiscal Year 2004 appropriation for
1073 "Personal Services" when annualized. If, at the end of any
1074 calendar month, the State Personnel Board determines that the

1075 agency has taken action(s) which would cause the agency to exceed
1076 this projected annual cost or the Fiscal Year 2004 "Personal
1077 Services" appropriated level, when annualized, then only those
1078 actions which reduce the projected annual cost and/or the
1079 appropriation requirement will be processed by the State Personnel
1080 Board until such time as the requirements of this provision are
1081 met.

1082 **SECTION 75.** It is the intention of the Legislature that none
1083 of the funds appropriated by this act shall be expended for
1084 increased charges for State Employee and Teacher Health Insurance
1085 premium rates assessed by the Department of Finance and
1086 Administration in excess of the Fiscal Year 2003 premium rates for
1087 the health insurance plan.

1088 **SECTION 76.** It is the intention of the Legislature that no
1089 State General Funds authorized to be expended in this act shall be
1090 used to replace federal funds and/or other special funds which are
1091 being used for salaries authorized under the provisions of this
1092 act and which are withdrawn and no longer available.

1093 **SECTION 77.** It is the intention of the Legislature that the
1094 State Board of Education, Authority for Educational Television,
1095 Mississippi Library Commission, State Board for Community and
1096 Junior Colleges, and the Board of Trustees of State Institutions
1097 of Higher Learning shall maintain complete accounting and
1098 personnel records related to the expenditure of all funds
1099 appropriated under the provisions of this act and that such
1100 records shall be in the same format and level of details as
1101 maintained for Fiscal Year 2003. It is further the intention of
1102 the Legislature that the budget requests for Fiscal Year 2005
1103 shall be submitted to the Joint Legislative Budget Committee in a
1104 format and level of detail comparable to the format and level of
1105 detail provided during the Fiscal Year 2004 budget request
1106 process.

1107 **SECTION 78.** Of the funds provided herein to the Board of
1108 Trustees of State Institutions of Higher Learning, the following
1109 amount, or so much thereof as may be necessary, shall be expended

1110 to defray the costs of the Center for Advanced Vehicular Studies
1111 at Mississippi State University.....\$ 3,500,000.00.

1112 **SECTION 79.** Of the funds provided herein to the Board of
1113 Trustees of State Institutions of Higher Learning, the following
1114 amount, or so much thereof as may be necessary, shall be provided
1115 to the Mississippi Military Communities Council to assist in
1116 consulting efforts associated with Base Realignment and Closure
1117 (BRAC).....\$ 200,000.00.

1118 **SECTION 80.** In addition to all other sums heretofore
1119 appropriated, the following sum, or so much thereof as may be
1120 necessary, is hereby appropriated out of the Budget Contingency
1121 Fund for the purpose of assisting the Mississippi Military
1122 Communities Council in consulting efforts for Base Realignment and
1123 Closure (BRAC) for the fiscal year ending June 30, 2003.....
1124\$ 83,333.00.

1125 **SECTION 81.** Of the funds provided herein for general support
1126 of the state institutions of higher learning, funds in the amount
1127 of Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be
1128 allocated to the Greenville Higher Education Center.

1129 **SECTION 82.** The money herein appropriated shall be paid by
1130 the State Treasurer out of any money in the proper fund or funds
1131 as set forth in this act, upon warrants issued by the State Fiscal
1132 Officer; and the State Fiscal Officer shall issue his warrants
1133 upon requisitions signed by the proper person, officer or officers
1134 in the manner provided by law.

1135 **SECTION 83.** This act shall take effect and be in force from
1136 and after July 1, 2003, except that Section 80 shall take effect
1137 and be in force from and after its passage.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT OF PUBLIC
2 EDUCATION AND RELATED PROGRAMS IN THE STATE OF MISSISSIPPI FOR
3 FISCAL YEARS 2003 AND 2004.