

By: Senator(s) Bryan, Dearing, Albritton, Jordan, Walls, Williamson, Dawkins, Jackson (11th), Walley, Lee (47th), Turner, Butler, Harden, Tollison, Horhn, Cuevas, Frazier, Simmons, Thomas

To: Appropriations

SENATE BILL NO. 3102

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 THE SUPPORT OF THE
10 STATE DEPARTMENT OF EDUCATION; FOR SUPPORT OF VOCATIONAL AND
11 TECHNICAL EDUCATION; FOR SUPPORT OF THE ANNUAL COMPENSATION TO THE
12 CHICKASAW CESSION COUNTIES; FOR SUPPORT OF THE MISSISSIPPI
13 ADEQUATE EDUCATION PROGRAM; FOR SUPPORT OF THE MISSISSIPPI SCHOOL
14 FOR THE BLIND AND THE SCHOOL FOR THE DEAF; FOR THE SUPPORT OF THE
15 MISSISSIPPI EDUCATIONAL TELEVISION AUTHORITY; FOR THE SUPPORT OF
16 THE MISSISSIPPI LIBRARY COMMISSION; FOR FISCAL YEAR 2006.

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

18 **SECTION 1.** The following sum, or so much thereof as may be
19 necessary, is hereby appropriated out of any money in the State
20 General Fund not otherwise appropriated, to the State Board for
21 Community and Junior Colleges for the purpose of defraying the
22 administrative expenses of the Board and for the aid and support
23 of the public community and junior colleges for the fiscal year
24 beginning July 1, 2005, and ending June 30, 2006.....
25\$ 145,918,528.00.

26 **SECTION 2.** The following sum, or so much thereof as may be
27 necessary, is hereby appropriated out of any money in the State
28 Treasury to the credit of the State Board for Community and Junior
29 Colleges, and any other special source funds herein made available
30 to the State Board for Community and Junior Colleges, for the
31 purpose of defraying the administrative expenses of the Board and
32 for the aid and support of the public community and junior
33 colleges for the fiscal year beginning July 1, 2005, and ending
34 June 30, 2006.....\$ 77,522,427.00.

35 **SECTION 3.** Of the funds appropriated under the provisions of
 36 this act and allocated to the State Board for Community and Junior
 37 Colleges, funds are provided for the following purposes:

38 (a) State General Funds for:

39	Administrative expenses of the board	\$	14,413,147.00
40	Aid and support of the public and community		
41	junior colleges.....	\$	104,768,889.00
42	Hiring nursing and allied health teachers,		
43	awarding interest free nursing and allied		
44	health student loans, and providing instructional		
45	support for the Rural Health Corps.....	\$	1,200,000.00
46	Funding life and health insurance for all		
47	employees of the public community and junior		
48	colleges.....	\$	16,808,282.00
49	Establishing and operating One-Stop Career		
50	Centers at each public community and junior		
51	college.....	\$	4,500,000.00
52	Defraying the cost of Sign Language		
53	Interpreter Training at public community		
54	and junior colleges.....	\$	179,050.00
55	Defraying the cost of the Educational		
56	Technology Program.....	\$	3,599,160.00
57	Defraying the cost of the Golden Triangle Education		
58	Center for Manufacturing Technology.....	\$	150,000.00
59	Defraying the cost of the Holmes Community College		
60	Industrial Technology Complex.....	\$	150,000.00
61	Defraying the cost of the Mississippi Delta		
62	Community College Industrial Training		
63	Program.....	\$	<u>150,000.00</u>
64	Total	\$	145,918,528.00

65 (b) Commission on Proprietary School and College
 66 Registration Fund for:

67 Regulation and administration of the Mississippi

68	Proprietary School and College Registration	
69	Law, and associated expenses.....	\$ 60,000.00
70	(c) Workforce Carryover Fund for:	
71	Administrative expenses of the board.....	\$ 1,000,000.00
72	(d) Community College Network Fees for:	
73	Administrative expenses of the board.....	\$ 125,000.00
74	(e) Duplicate transcripts and duplicate diploma	
75	issuance fees for:	
76	Administrative expenses of the board.....	\$ 100,000.00
77	(f) Workforce On-Line Training Program fees for:	
78	Administrative expenses of the board.....	\$ 300,000.00
79	(g) Education Enhancement Fund for:	
80	Aid and support of public community and	
81	junior colleges.....	\$ 30,167,318.00
82	Servicing debt on bonds issued for the Education	
83	Technology Program.....	\$ <u>3,169,240.00</u>
84	Total Education Enhancement Funds.....	\$ 33,336,558.00
85	(h) Other Special Source Funds for:	
86	Administrative expenses of the board.....	\$ 12,400,869.00
87	Post secondary vocational and technical	
88	education operations.....	\$ 30,000,000.00

89 **SECTION 4.** With the funds appropriated under the provisions
90 of this act to the State Board for Community and Junior Colleges,
91 the following positions are authorized:

92 AUTHORIZED POSITIONS:

93	Permanent:	Full Time.....	41
94		Part Time.....	1
95	Time-Limited:	Full Time.....	0
96		Part Time.....	0

97 **SECTION 5.** Of the funds appropriated under the provisions of
98 this act and allocated to paying administrative expenses of the
99 State Board for Community and Junior Colleges, funds in the amount
100 of Twenty-four Million Six Hundred Forty-three Thousand Sixty-four

101 Dollars (\$24,643,064.00) are provided for the Workforce Education
102 Program and Industrial Training. No funding obligation or
103 commitment shall be made on behalf of the state for industrial
104 training beyond the level of funding made available in this
105 section. All industrial training program commitments made in
106 Fiscal Year 2006 and future fiscal years shall be based only upon
107 funds available in this section and any proposed commitments shall
108 be approved by the Executive Director of the State Board for
109 Community and Junior Colleges, or the Executive Director's
110 designee prior to such commitment being finalized. Industrial
111 training program commitments shall be made and based only upon
112 training services provided and not for a specific funding amount.
113 Any expenditures of funds authorized in this section are limited
114 to obligations made July 1, 2005, or after, and shall not be
115 expended for obligations made prior to this date.

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

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

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

129 The public community and junior colleges shall prepare and
130 make available to the Legislature and the Legislative Budget
131 Office an accounting of expenditures and program accomplishments
132 of the Rural Health Corps Program for each of the individual

133 community and junior colleges in a format and manner prescribed by
134 the Legislative Budget Office.

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

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

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

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

	<u>Assigned Weight</u>	
	2/5 Headcount	3/5 FTE
<u>Formula Section</u>	<u>Formula</u>	<u>Formula</u>
162 (1) Aid to Colleges:		
163 Base	5% of prior year	11% of prior year
164	appropriation	appropriation
165 Academic	1.0	1.0

166	Technical	1.06	1.0
167	Virtual Comm.		
168	College	.55	
169	(2) Vocational	.79	1.0
170	(3) Part-time	.55	
171	(4) Associate Degree		
172	Nursing	1.0	1.19
173	(5) Associate Degree		
174	Allied Health		1.19

175 In the 2/5 Headcount Formula, such Academic, Technical, and
176 Vocational funds shall be disbursed to such public community and
177 junior colleges on the basis of the full-time enrollment of each
178 such public community and junior college as of the last day of the
179 sixth week of the fall semester or its equivalent of the preceding
180 year, counting only students who reside within the State of
181 Mississippi. Part-time academic vocational and technical credit
182 courses may qualify on the basis of the prior year full-time
183 equivalency of part-time and summer students, counting only
184 students who reside within the State of Mississippi.

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

190 In the 3/5 FTE Formula, such Academic, Technical, Vocational,
191 Associate Degree Nursing and Associate Degree Allied Health funds
192 shall be disbursed on the basis of prior year full-time
193 equivalency (FTE) of hours generated during the summer, fall and
194 spring semesters for each public community and junior college as
195 of the last day of the sixth week of each semester, or its
196 equivalent, counting only students who reside within the State of
197 Mississippi. However, Associate Degree Nursing students who

198 reside outside the State of Mississippi may be counted for pay
199 purposes.

200 Of the funds appropriated in this act for the aid and support
201 of the public community and junior colleges, funds up to One
202 Million Seven Hundred Six Thousand Dollars (\$1,706,000.00) are
203 provided to be set aside as a mechanism to hold harmless those
204 colleges that lose funding in the first year of a five year phase-
205 in implementation period to a full-time equivalency (FTE) funding
206 formula.

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

212 If, pending determination of the enrollment of students at
213 the public community and junior colleges entitled to participate
214 in this appropriation, as provided for in this subsection, the
215 State Board for Community and Junior Colleges shall find and
216 determine that any such public or community junior college does
217 not have sufficient funds on hand for payment of the necessary
218 expenses of its operation for the period commencing July 1, 2005,
219 until distribution of the funds appropriated hereby, then, in that
220 event, the State Board for Community and Junior Colleges is
221 expressly authorized to make an advance to any such public
222 community or junior college or colleges not having sufficient
223 operating funds for such period from the funds appropriated
224 hereby; provided, however, that the amount of any such advance to
225 any one public community or junior college shall not exceed
226 thirty-three percent (33%) of the amount of state appropriated
227 funds received by such public community or junior college during
228 the preceding fiscal year; and provided, further, that the amount
229 of any such advance shall be deducted from the pro rata part of
230 the funds appropriated hereby accruing to said public community or

231 junior college when enrollment has been ascertained and
232 distribution of funds is made.

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

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

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

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

264 the Education and Research Center, the Executive Office of the
265 Board of Trustees, the Mississippi Volunteer Commission; and
266 related programs, for the fiscal year beginning July 1, 2005, and
267 ending June 30, 2006\$ 559,075,122.00.

268 **SECTION 14.** The following sum, or so much thereof as may be
269 necessary, is hereby appropriated out of any money in the State
270 Treasury to the credit of the Board of Trustees of State
271 Institutions of Higher Learning or any institution or program
272 administered by the Board; and out of the proceeds from any
273 federal, student fees or other special source funds, not otherwise
274 appropriated, to the Board of Trustees of State Institutions of
275 Higher Learning for the purpose of support of the state-supported
276 institutions of higher learning, those being Mississippi State
277 University, University of Mississippi, Mississippi University for
278 Women, University of Southern Mississippi, Delta State University,
279 Alcorn State University, Jackson State University, and Mississippi
280 Valley State University, and programs operated by those
281 institutions; for support of student financial aid programs
282 authorized by law; for support of the University Research Center,
283 the Education and Research Center, the Executive Office of the
284 Board of Trustees, the Mississippi Volunteer Commission; and
285 related programs, for the fiscal year beginning July 1, 2005, and
286 ending June 30, 2006.....\$ 986,995,537.00.

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

291 (a) State General Funds for:
292 General support, maintenance, and repairs at
293 the state-supported institutions of higher
294 learning.....\$ 299,208,792.00
295 Financial aid scholarship, loan and grant programs
296 authorized by law and administered by the

297	Mississippi Office of Student Financial Aid,	
298	and for support of the Mississippi Office	
299	of Student Financial Aid.....\$	30,558,013.00
300	Executive Office of the Board of Trustees, the	
301	University Research Center and the Mississippi	
302	Automated Resource Information System	
303	(MARIS).....\$	6,122,291.00
304	College of Veterinary Medicine at Mississippi	
305	State University.....\$	13,102,456.00
306	University of Mississippi Medical Center	147,711,857.00
307	Mississippi Cooperative Extension Service	21,420,987.00
308	Mississippi Agricultural and Forestry	
309	Experiment Station.....\$	19,267,287.00
310	Mississippi Forest and Wildlife Research	
311	Center.....\$	5,000,986.00
312	Alcorn State University Agricultural Programs ..\$	4,436,290.00
313	Mississippi Mineral Resources Research	
314	Institute.....\$	451,618.00
315	Mississippi Law Research Institute.....\$	697,496.00
316	Gulf Coast Research Laboratory.....\$	3,197,665.00
317	Water Resources Institute.....\$	82,260.00
318	Mississippi State Chemical Laboratory.....\$	1,208,891.00
319	Research Institute of Pharmaceutical Science ...\$	3,502,186.00
320	Supercomputer.....\$	1,228,694.00
321	Polymer Institute.....\$	483,932.00
322	Small Business Development Center.....\$	351,070.00
323	Stennis Center for Higher Learning.....\$	352,972.00
324	Jackson State University Urban Research Center..\$	254,454.00
325	Commission for Volunteer Services.....\$	183,256.00
326	Stennis Institute of Government.....\$	251,669.00
327	Total.....\$	559,075,122.00

328 (b) Education Enhancement Funds for:

329 General support, maintenance, and repairs at

330	the state-supported institutions of higher	
331	learning.....	\$ 41,410,234.00
332	College of Veterinary Medicine at Mississippi	
333	State University.....	\$ 603,725.00
334	University of Mississippi Medical Center	\$ 3,854,830.00
335	Mississippi Cooperative Extension Service	\$ 1,222,596.00
336	Mississippi Agricultural and Forestry	
337	Experiment Station.....	\$ 1,461,204.00
338	Mississippi Forest and Wildlife Research	
339	Center.....	\$ 322,193.00
340	Alcorn State University Agricultural Programs ..	\$ 21,097.00
341	Executive Office of the Board of Trustees, the	
342	University Research Center and the	
343	Mississippi Automated Resource Information	
344	System (MARIS).....	\$ 495,742.00
345	Mississippi Mineral Resources Research	
346	Institute.....	\$ 24,035.00
347	Mississippi Law Research Institute.....	\$ 54,913.00
348	Gulf Coast Research Laboratory.....	\$ 196,650.00
349	Water Resources Institute.....	\$ 8,740.00
350	Mississippi State Chemical Laboratory.....	\$ 161,595.00
351	Research Institute of Pharmaceutical Science....	\$ 100,510.00
352	Stennis Center for Higher Learning.....	\$ 95,000.00
353	Commission for Volunteer Services.....	\$ 92,150.00
354	Stennis Institute of Government.....	\$ 46,550.00
355	Total.....	\$ 50,171,764.00
356	(c) State Court Education Program Funds in the	
357	State Treasury for:	
358	State Court Education Program.....	\$ 1,202,440.00
359	(d) Mississippi Alcohol Safety Program Funds in	
360	the State Treasury for:	
361	Mississippi Alcohol Safety Program.....	\$ 150,000.00
362	(e) Health Care Expendable Funds for:	

363	Support and maintenance of the Medical		
364	Education Loan/Scholarship Program.....	\$	177,563.00
365	Support of University Medical Center.....	\$	<u>4,000,000.00</u>
366	Total.....	\$	4,177,563.00
367	(f) Other Special Source Funds for:		
368	General support, maintenance, and repairs at		
369	the state-supported institutions of higher		
370	learning.....	\$	369,306,953.00
371	Financial aid scholarship, loan and grant programs		
372	authorized by law and administered by the		
373	Mississippi Office of Student Financial Aid,		
374	and for support of the Mississippi Office		
375	of Student Financial Aid.....	\$	6,957,154.00
376	Executive Office of the Board of Trustees, the		
377	University Research Center and the Mississippi		
378	Automated Resource Information System		
379	(MARIS)	\$	28,844,621.00
380	College of Veterinary Medicine at Mississippi		
381	State University.....	\$	6,385,000.00
382	University of Mississippi Medical Center	\$	528,215,793.00
383	Mississippi Cooperative Extension Service	\$	13,523,523.00
384	Mississippi Agricultural and Forestry		
385	Experiment Station.....	\$	6,407,974.00
386	Mississippi Forest and Wildlife Research Center.\$		792,236.00
387	Mississippi Alcohol Safety Program	\$	1,052,189.00
388	Mississippi Mineral Resources Research		
389	Institute.....	\$	2,056,943.00
390	Mississippi Law Research Institute.....	\$	385,622.00
391	Gulf Coast Research Laboratory.....	\$	1,694,443.00
392	Mississippi State Chemical Laboratory.....	\$	390,000.00
393	Research Institute of Pharmaceutical Science ...	\$	6,453,299.00
394	Small Business Development Center.....	\$	793,025.00
395	Commission for Volunteer Services.....	\$	6,589,359.00

396	Stennis Institute of Government.....	\$	567,460.00
397	Jackson State University -Urban Research.....	\$	<u>6,517.00</u>
398	Total.....	\$	980,422,111.00

399 (g) Ayers Endowment Interest Fund No. 3258 for:
400 The purposes as set out by the courts in the
401 Ayers Case for:

402	Alcorn State University	\$	300,000.00
403	Jackson State University	\$	300,000.00
404	Mississippi Valley State University	\$	<u>300,000.00</u>
405	Total.....	\$	900,000.00

406 (h) Ayers Settlement Fund, created by House Bill
407 No. 1471, 2001 Regular Session, for:
408 Establishing an Ayers settlement endowment fund
409 to comply with the Settlement Agreement in
410 the case of Ayers v. Musgrove.....

		\$	5,000,000.00
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411 **SECTION 16.** Upon the Ayers Settlement Agreement becoming
412 final and effective according to its terms (including, but not
413 limited to, the exhaustion of all rights to appeal), it is the
414 intention of the Legislature that the Five Million Dollars
415 (\$5,000,000.00) appropriated in this act from the Ayers Settlement
416 Fund, created by House Bill No. 1471, 2001 Regular Session, is
417 hereby authorized for use by the Board of Trustees of State
418 Institutions of Higher Learning for the purpose of establishing an
419 Ayers settlement endowment fund to comply with the Settlement
420 Agreement in the case of Ayers v. Musgrove.

421 **SECTION 17.** Of the funds provided herein to the Board of
422 Trustees of State Institutions of Higher Learning, the following
423 amount, or so much thereof as may be necessary, shall be expended
424 by the Board of Trustees of State Institutions of Higher Learning
425 for the purpose of defraying the costs associated with
426 Ayers-related programs at Alcorn State University, Jackson State
427 University and Mississippi Valley State University; interest on
428 the Ayers Endowment Fund and any other Ayers-related activities

429 associated with the implementation of the Remedial Decree of the
430 District Courts.....\$ 14,246,000.00.

431 **SECTION 18.** It is the intention of the Legislature that upon
432 the Ayers Settlement Agreement becoming final and effective
433 according to its terms (including, but not limited to, the
434 exhaustion of all rights to appeal), funds necessary to comply
435 with the Ayers Settlement Agreement shall be appropriated in the
436 next Legislative Session.

437 **SECTION 19.** It is the intent of the Legislature that the
438 Board of Trustees of State Institutions of Higher Learning shall
439 allocate funds to the off-campus centers based on a minimum rate
440 of sixty-five percent (65%) of the on-campus cost of a full-time
441 equivalent student. The on-campus distribution is to be
442 determined without regard to the costs incurred by any one or more
443 of them in the operation of off-campus degree completing centers'
444 classes. Off-campus centers which are operated jointly by two (2)
445 or more institutions, the amount allocated to such centers shall
446 be prorated among the institutions jointly operating such centers
447 based on the full-time equivalent enrollment of such centers.

448 The board of trustees shall insure that the off-campus
449 centers are not charged with any indirect or overhead cost
450 prorated from any on-campus activity. It is the intent of the
451 Legislature that the on-campus operations charge the off-campus
452 centers with only actual direct charges.

453 **SECTION 20.** Of the State General Funds provided herein to
454 the Board of Trustees of State Institutions of Higher Learning for
455 the general support and maintenance of the state-supported
456 institutions, the amount of One Hundred Fifty-seven Thousand Five
457 Hundred Dollars (\$157,500.00) shall be used for the promotion and
458 expenses of the Mississippi Governor's School for the Gifted and
459 Talented.

460 Provided, however, that the Board of Trustees of State
461 Institutions of Higher Learning shall develop the governing policy

462 for faculty, course content and facilities selection on a
463 competitive basis from all Mississippi senior colleges and
464 universities. The Mississippi Governor's School for the Gifted
465 and Talented shall accept not less than one (1) high school
466 student nominee from each accredited high school in Mississippi.
467 The nominees, selected under criteria developed and adopted by the
468 Board of Trustees of State Institutions of Higher Learning, shall
469 be provided a three-week tuition-free program.

470 The Board of Trustees of State Institutions of Higher
471 Learning shall compile and publish the report of the statewide
472 evaluation committee on the leadership impact of graduates of this
473 school. This report is to be a continuing study on the youthful
474 leadership of the state.

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

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

- 485 (a) For Mississippi State University as interest
486 on agricultural land script fund and interest
487 on the sale of university land.....\$ 14,387.00
488 (b) For the University of Mississippi as interest
489 on the original seminary fund.....\$ 32,643.00
490 (c) For the University of Mississippi as interest
491 on the 1904 land grant fund.....\$ 9,965.00
492 (d) For the University of Mississippi as interest
493 on the LaBauve Fund.....\$ 1,420.00
494 (e) For the Mississippi University for Women as

495 interest on funds paid into the State
 496 Treasury as proceeds of sale of land
 497 donated to the Industrial Institute and
 498 College by the United States Government.....\$ 9,389.00
 499 (f) For Alcorn State University as interest on
 500 land script and land sales funds.....\$ 12,592.00

501 **SECTION 23.** Of the funds provided herein for support of the
 502 Gulf Coast Research Laboratory, the Board of Trustees of State
 503 Institutions of Higher Learning shall allocate for Sea Grants
 504 matching One Hundred Seventy-five Thousand Dollars (\$175,000.00)
 505 for the Fiscal Year 2006.

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

514 **SECTION 24.** It is the intention of the Legislature that
 515 after the Mississippi State Chemical Laboratory has provided the
 516 maximum amount of services which may be provided free of charge
 517 under the provisions of Section 57-21-11(c), Mississippi Code of
 518 1972, the laboratory shall not provide any additional services
 519 from the funds provided herein for the laboratory's support if any
 520 charges for such services previously provided are more than ninety
 521 (90) days past due. After all such delinquent charges have been
 522 paid by a client, the laboratory may provide additional services
 523 to the client.

524 **SECTION 25.** It is the intention of the Legislature that the
 525 Board of Trustees of State Institutions of Higher Learning shall
 526 ensure that none of the funds apportioned in this act for the
 527 Out-of-State Educational Program shall be paid to or for the

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

531 **SECTION 26.** It is the intention of the Legislature that of
532 the State General Funds provided herein for financial aid programs
533 authorized by law, the Board of Trustees of the State Institutions
534 of Higher Learning shall expend from the support of the
535 out-of-state graduate and professional studies program an amount
536 not exceeding the funding necessary, contingent upon the
537 availability of qualified applicants, for ten (10) new entering
538 optometry students and the number of returning optometry students
539 who received funding under the program during the preceding school
540 year; for ten (10) new entering chiropractic students, with not
541 more than twenty-five (25) chiropractic students overall; and
542 seven (7) new entering osteopathic medical students and the number
543 of returning osteopathic medical students who received funding
544 under the program during the preceding school year, for these
545 courses of study.

546 **SECTION 27.** In the allocation of funds provided herein to
547 the Board of Trustees of State Institutions of Higher Learning for
548 financial aid programs authorized by law, it is the intention of
549 the Legislature that priority shall be given and funds shall be
550 first allocated to all students eligible for financial aid under
551 the provisions of Sections 37-107-1 through 37-107-7 and Sections
552 37-108-1 through 37-108-5, Mississippi Code of 1972.

553 **SECTION 28.** It is the intention of the Legislature that all
554 funds provided herein to the Board of Trustees of State
555 Institutions of Higher Learning for financial aid programs
556 authorized by law shall be accounted for in a detailed statement
557 showing when, to whom, and for what purpose applied, and this
558 statement shall be submitted at the next regular session of the
559 Legislature within ten (10) days after the convening thereof. A
560 report of loans made and receipt of repayment of loans to the fund

561 shall be reported. The amount of repayment that is in arrears
562 shall also be included. Such report shall include the number of
563 students at each institution receiving financial assistance and
564 the amount of such assistance, and an estimate of the financial
565 requirement of the various loan programs for the next year. No
566 public or private institution of higher learning receiving funds
567 under the respective provisions of this act, for the purpose of
568 issuing scholarship grants or loans, shall issue any official
569 transcripts for any persons who have any amount of repayment in
570 arrears on that date such official transcript is requested.

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

574 **SECTION 29.** It is the intention of the Legislature that all
575 fees charged and collected by the University Research Center for
576 services provided by the Mississippi Automated Resource
577 Information System (MARIS) shall be deposited in a special fund to
578 be known as the "Mississippi Automated Resource Information System
579 (MARIS) Revolving Fund." All monies in the revolving fund shall
580 be used by MARIS exclusively for the support of MARIS projects and
581 activities.

582 **SECTION 30.** With the funds provided herein for the support
583 of the University of Mississippi Medical Center, the following
584 shall be maintained: the School of Medicine, the School of
585 Dentistry, the School of Nursing, the School of Health Related
586 Professions, the Teaching Hospital and the Medical Center Service
587 Area. The University of Mississippi Medical Center shall prepare
588 and make available to the Legislature an accounting of
589 expenditures for each of the divisions listed in this section at
590 the beginning of the legislative session.

591 **SECTION 31.** Due to critical nurse shortages and staffing, it
592 is the intent of the Legislature to enhance recognition of

593 excellence and expand the experience factor in attracting
594 qualified registered nurses.

595 **SECTION 32.** Of the funds provided herein for the University
596 of Mississippi Medical Center, none may be used to provide medical
597 services on behalf of any state agency, institution or political
598 subdivision, except to the extent that such agency, institution or
599 political subdivision reimburses the hospital for the cost of the
600 services provided. Upon the rendering of medical services to any
601 such agency, institution or political subdivision, the hospital
602 shall issue an invoice for the charges which shall be paid within
603 ninety (90) days. In the event that payment is not made within
604 ninety (90) days, the hospital shall discontinue providing
605 services to that agency, institution, or political subdivision
606 until all outstanding charges have been paid.

607 **SECTION 33.** With the funds provided herein to the
608 Mississippi Cooperative Extension Service, it is the intention of
609 the Legislature that the Mississippi Cooperative Extension Service
610 provide programs in the emphasis areas of Agriculture, Home
611 Economics, 4-H, and Community Resource Development in each county.

612 **SECTION 34.** It is the intention of the Legislature that the
613 Board of Trustees of State Institutions of Higher Learning shall
614 first use special funds to the greatest extent possible to defray
615 the costs of providing remediation at the state-supported
616 institutions of higher learning.

617 **SECTION 35.** It is the intention of the Legislature that none
618 of the funds provided herein to the Board of Trustees of State
619 Institutions of Higher Learning shall be expended for any purpose
620 that is not actually required or necessary for performing any of
621 the powers or duties of the Board of Trustees of State
622 Institutions of Higher Learning, or any of the powers or duties of
623 any institution under the jurisdiction of the board of trustees,
624 that are authorized by the Mississippi Constitution of 1890, state

625 or federal law, or rules or regulations that implement state or
626 federal law.

627 **SECTION 36.** The Board of Trustees of State Institutions of
628 Higher Learning shall submit to the Committee on Appropriations of
629 both houses of the Mississippi Legislature by January 1, 2006, a
630 consolidated report for all the several institutions under its
631 jurisdiction, on forms and in a manner to be prescribed by the
632 Legislative Budget Committee, which reflects the anticipated
633 current restricted fund revenues for the 2004 fiscal year, and the
634 budgeted use of such current restricted funds by major object
635 category. For purposes of this section, the term "current
636 restricted funds" shall be defined as those public funds available
637 for financing university operations which are limited by the
638 donor, or by an agency external to the Board of Trustees of State
639 Institutions of Higher Learning, to specific purposes, programs,
640 departments or schools, but shall not include endowment funds or
641 private gifts exempted under the provisions of Section 27-103-5,
642 Mississippi Code of 1972.

643 **SECTION 37.** It is the intention of the Legislature that the
644 Board of Trustees of State Institutions of Higher Learning
645 continue to review, and eliminate when possible, duplicating
646 programs and degrees in the existing institutions of higher
647 learning in this state.

648 **SECTION 38.** It is the intention of the Legislature that the
649 Board of Trustees of State Institutions shall ensure that no state
650 appropriations or student tuition and fee receipts, except those
651 specifically charged for the provision of the services, shall be
652 used to support auxiliary enterprises, with the exception of
653 intercollegiate athletics at a level designated by the board of
654 trustees. It is the intent of the Legislature that auxiliary
655 enterprises shall be self-supporting; and that deficits not be
656 taken from funds intended for instruction and academic programs.

657 **SECTION 39.** It is the intention of the Legislature that none
658 of the funds provided herein to the Board of Trustees of State
659 Institutions of Higher Learning shall be spent to defray tuition
660 cost or subsidize in any way the direct cost of education,
661 ordinarily paid by the student, of any nonresident alien enrolled
662 in any state-supported institution of higher learning in the State
663 of Mississippi. However, this will not apply to any nonresident
664 alien student if the United States has a reciprocal agreement with
665 their country on subsidizing the education of a United States
666 citizen student.

667 **SECTION 40.** The Board of Trustees of State Institutions of
668 Higher Learning shall report yearly to the Legislature the
669 institution compliance with Section 97-11-51, Mississippi Code of
670 1972, which prohibits deficit spending.

671 **SECTION 41.** It is the intention of the Legislature that the
672 Board of Trustees of State Institutions of Higher Learning shall
673 ensure that any funds appropriated pursuant to this act and paid
674 as a fee to or deposited in a financial institution shall be in
675 compliance with Section 109 of the Constitution of the State of
676 Mississippi and Section 25-4-103, Mississippi Code of 1972.

677 **SECTION 42.** It is the intention of the Legislature that no
678 State General Funds authorized to be expended in this act shall be
679 used to replace federal funds and/or other special funds which are
680 being used for salaries authorized under the provisions of this
681 act and which are withdrawn and no longer available.

682 **SECTION 43.** It is the intention of the Legislature that the
683 State Board for Community and Junior Colleges and the Board of
684 Trustees of State Institutions of Higher Learning shall maintain
685 complete accounting and personnel records related to the
686 expenditure of all funds appropriated under the provisions of this
687 act and that such records shall be in the same format and level of
688 details as maintained for Fiscal Year 2005. It is further the
689 intention of the Legislature that the budget requests for Fiscal

722 (c) To the State Board of Education for the purpose of
723 paying annual compensation to the Chickasaw Cession counties for
724 sixteenth section lands which they lost through sale by the state,
725 as provided in Section 29-3-137 through 29-3-141, Mississippi Code
726 of 1972..... \$ 13,864,410.00.

727 (d) To the State Board of Education for defraying the
728 expenses of the Mississippi Adequate Education Program.....
729 \$ 1,885,379,736.00.

730 (e) To the State Board of Education for the purpose of
731 defraying the expenses of the Mississippi School for the Blind and
732 the Mississippi School for the Deaf..... \$ 10,940,908.00.

733 (f) To the Mississippi Authority for Educational
734 Television for the purpose of defraying the expenses of the
735 authority \$ 6,033,840.00.

736 (g) To the Mississippi Library Commission for the
737 support and maintenance of the commission and for carrying out the
738 provisions of Section 39-3-107, Mississippi Code of 1972.....
739 \$ 11,025,771.00.

740 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED
741 BY THIS SECTION BEING..... \$ 2,079,024,174.00.

742 **SECTION 47.** The following sums, or so much thereof as may be
743 necessary, are hereby appropriated out of any money in any special
744 fund in the State Treasury to the credit of the proper fund or
745 funds of the agencies or programs specified in the following
746 paragraphs for the fiscal year beginning July 1, 2005, and ending
747 June 30, 2006, as follows:

748 (a) To the State Board of Education for the purpose of
749 defraying the expenses of the State Department of Education, and
750 excluding the expenses of the Vocational and Technical Education
751 Division..... \$ 678,917,549.00.

752 (b) To the State Board of Education for the purpose of
753 defraying the expenses of the Vocational and Technical Education
754 Division of the State Department of Education.....

755 \$ 24,073,829.00.

756 (c) To the State Board of Education for the purpose of

757 defraying the expenses of the Mississippi Adequate Education

758 Program..... \$ 158,526,997.00.

759 (d) To the State Board of Education for the purpose of

760 defraying the expenses of the Mississippi School for the Blind and

761 the Mississippi School for the Deaf..... \$ 994,031.00.

762 (e) To the Mississippi Authority for Educational

763 Television for the purpose of defraying the expenses of the

764 authority..... \$ 4,781,431.00.

765 (f) To the Mississippi Library Commission for the

766 purpose of defraying the expenses of the commission.....

767 \$ 2,888,926.00.

768 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED

769 BY THIS SECTION BEING..... \$ 870,182,763.00.

770 **STATE BOARD OF EDUCATION**

771 **SECTION 48.** Of the funds appropriated under the provisions

772 of Section 47 to the State Board of Education, Two Hundred

773 Twenty-one Thousand Nine Hundred Fifty-four Dollars (\$221,954.00),

774 or so much thereof as may be necessary, is appropriated out of any

775 money in the State Treasury to the credit of the Health Care

776 Expendable Fund to the State Department of Education for the

777 purpose of defraying the expenses of the department for the

778 Mississippi Eye Screening Program for providing vision safety

779 services.

780 **SECTION 49.** Of the funds appropriated under the provisions

781 of Section 47 to the State Board of Education, the following sums,

782 or so much thereof as may be necessary, are derived out of any

783 money in the State Treasury to the credit of the Education

784 Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31,

785 Mississippi Code of 1972, as follows:

786 (a) To the State Department of Education, and excluding
787 the expenses of the Vocational and Technical Education Division,
788 for the following purposes:

789 Grants to school districts for capital
790 facilities and buses.....\$ 16,000,000.00.
791 Instructional materials.....\$ 21,826,648.00.
792 Tech prep bond service.....\$ 3,221,400.00.
793 Implementing Performance Based Data
794 Collection and Accreditation
795 Model.....\$ 274,937.00.
796 World Class Teacher Program.....\$ 125,000.00.
797 Testing.....\$ 226,413.00.
798 Education Technology Council.....\$ 94,082.00.
799 TOTAL.....\$ 41,768,480.00.

800 (b) To the State Department of Education to defray the
801 expenses of the Vocational and Technical Education Division.....
802 \$ 7,863,746.00.

803 (c) To the State Department of Education to provide
804 funding for the Mississippi Adequate Education Program.....
805 \$108,526,997.00.

806 **SECTION 50.** With the funds appropriated under the provisions
807 of this act to the State Board of Education, the following
808 positions are authorized to the State Department of Education, and
809 excluding the expenses of the Vocational and Technical Education
810 Division:

811 AUTHORIZED POSITIONS:
812 Permanent: Full Time..... 520
813 Part Time 3
814 Time-Limited: Full Time..... 48
815 Part Time..... 0

816 **SECTION 51.** In compliance with the "Mississippi Performance
817 Budget and Strategic Planning Act of 1994," it is the intent of
818 the Legislature that the funds provided herein shall be utilized

819 in the most efficient and effective manner possible to achieve the
 820 intended mission of this agency. Based on the funding authorized,
 821 this agency shall make every effort to attain the targeted
 822 performance measures provided below:

823		FY2006
824	<u>Performance Measures</u>	<u>Target</u>
825	Special Education	
826	Approved Funding for Children (Persons)	87,897,368
827	Teacher Units Approved for Funding (Units)	4,672.39
828	Child Nutrition	
829	Number of Meals Required (Millions)	121
830	Cost per Meal (\$)	2.28
831	Special Projects	
832	Building Projects Approved (Projects)	0
833	Project Approval Rate (%)	0
834	MS School For Math & Science	
835	Students Enrolled (Persons)	270
836	Cost per Student (\$)	15,717.03
837	Educational Accountability	
838	Performance Accreditation Visits (Visits)	30
839	Tests Administered (Persons)	468,115
840	Compliance & Performance Reviews (Actions)	25
841	Educ Training & Development	
842	Administrators Trained (Persons)	1,000
843	Administrators Trained (%)	0.35
844	Technical Assistance to School Districts (%)	92
845	Compensatory Education	
846	Title I Projects Awarded (Programs)	152
847	Average Expenditure per Child (\$)	612
848	Review & Approve Delinquent Prgs (Programs)	5
849	Community & Outreach Services	
850	Requested Available Federal Funding (%)	100
851	MS School Attendance Officers	

852 Resolutions to Referrals (%) 0.86
 853 School Visits (Number of) 25,000

854 MS Teacher Center

855 Teachers Recruited in Shortage Areas (Number) 1,800

856 A reporting of the degree to which the performance targets
 857 set above have been or are being achieved shall be provided in the
 858 agency's budget request submitted to the Joint Legislative Budget
 859 Committee for Fiscal Year 2007.

860 **SECTION 52.** In compliance with the "Mississippi Performance
 861 Budget and Strategic Planning Act of 1994," it is the intent of
 862 the Legislature that the funds provided herein shall be utilized
 863 in the most efficient and effective manner possible to achieve the
 864 intended mission of this agency. Based on the funding authorized,
 865 this agency shall make every effort to attain the targeted
 866 performance measures provided below:

867 FY2006
 868 Performance Measures Target

869 Basic Program

870 Increase the number of students scoring basic
 871 & above on the MS Curriculum Test in
 872 grades 2-8, reading, language & math (%) 2.00

873 Increase the number of students achieving
 874 the passing score on the History test (%) 0.08

875 Increase the number of students achieving
 876 the passing score on the Biology test (%) 2.00

877 Increase the number of students achieving
 878 the passing score on the Algebra test (%) 2.00

879 A reporting of the degree to which the performance targets
 880 set above have been or are being achieved shall be provided in the
 881 agency's budget request submitted to the Joint Legislative Budget
 882 Committee for Fiscal Year 2007.

916 Part Time..... 0

917 **SECTION 57.** In compliance with the "Mississippi Performance
918 Budget and Strategic Planning Act of 1994," it is the intent of
919 the Legislature that the funds provided herein shall be utilized
920 in the most efficient and effective manner possible to achieve the
921 intended mission of this agency. Based on the funding authorized,
922 this agency shall make every effort to attain the targeted
923 performance measures provided below:

924		FY2006
925	<u>Performance Measures</u>	<u>Target</u>
926	Secondary Programs	
927	Increase in Students Served (percent)	1
928	LEAs Served (Sites)	144
929	Post-secondary Programs	
930	Short-Term Students Served (Persons)	679
931	Short-Term Adult Program Classes (Classes)	80
932	Short-Term Cost per Student (dollars)	45

933 A reporting of the degree to which the performance targets
934 set above have been or are being achieved shall be provided in the
935 agency's budget request submitted to the Joint Legislative Budget
936 Committee for Fiscal Year 2007.

937 **SECTION 58.** Of the funds appropriated under the provisions
938 of this act to the State Board of Education, an amount not to
939 exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four
940 Dollars (\$229,684.00) is authorized for the support of vocational
941 and technical education programs as authorized in Section
942 37-31-13, Mississippi Code of 1972, for a period in excess of ten
943 (10) months in a calendar year.

944 **SECTION 59.** It is the intention of the Legislature that the
945 Vocational and Technical Education Division of the State
946 Department of Education shall, with the funds appropriated in
947 Section 46 to the State Board of Education, transfer no more than
948 One Hundred Thousand Dollars (\$100,000.00) to the Mississippi Soil

949 and Water Conservation Commission for the purpose of providing
950 matching funds to purchase soil conservation equipment.

951 **SECTION 60.** Of the funds appropriated in this act to the
952 State Board of Education, no more than One Hundred Thousand
953 Dollars (\$100,000.00) is provided for the purpose of supporting
954 the Future Farmers of America Center.

955 **SECTION 61.** Of the funds provided in Section 46 to the State
956 Board of Education for the purpose of providing financial
957 assistance for the education of exceptional children as determined
958 under Section 37-23-63, Mississippi Code of 1972, children who are
959 certified by the designated authority as requiring inpatient care
960 in a private intermediate care facility for the mentally retarded
961 or psychiatric residential treatment facility, with Medicaid
962 reimbursement, shall be eligible and entitled to receive state
963 financial assistance under the provisions of Section 37-23-69, in
964 an amount not to exceed Five Thousand Dollars (\$5,000.00) from
965 state funds, per child per school year, if an approved private
966 school is operated as an integral part of the facility which
967 provides twenty-four (24) hours a day monitoring, treatment and
968 education, except that the State Department of Education is
969 authorized to pilot a fee-for-service based cost system for
970 children served through Millcreek Schools, Inc.

971 **SECTION 62.** Of the funds provided in Section 46 to the State
972 Board of Education, Two Hundred Fifteen Thousand Five Hundred
973 Twenty-nine Dollars (\$215,529.00) shall be used to provide for a
974 Director of School Nurses in the State Department of Education and
975 the implementation of three (3) pilot projects for a variety of
976 school health programs in an elementary school setting.
977 Evaluations shall be developed to determine the program's effect
978 to drop-out rates, suspensions, expulsions, attendance and test
979 scores.

980 Income generated by the school-based clinics shall remain
981 available for expenditure by the programs utilizing any special

982 fund authority provided in Section 47 for use by the State
983 Department of Education and the pilots shall remain the same as in
984 Fiscal Year 2005.

985 **SECTION 63.** It is the intention of the Legislature that the
986 State Department of Education shall have the authority to accept,
987 budget and expend any source funds not to exceed Thirty Million
988 Dollars (\$30,000,000.00), that become available to the department
989 to carry out the provisions of those funds in a manner consistent
990 with the rules and regulations of the Department of Finance and
991 Administration.

992 **SECTION 64.** The State Department of Education shall transfer
993 the designated amounts to the appropriate entities, which shall
994 assume full responsibility for the expenditure of these funds in
995 accordance with state laws and accept all responsibility for any
996 improper expenditure. For the following: National Guard Youth
997 Challenge Program, World Class Teacher Programs, USM Special
998 Education Program, Soil and Water Conservation Commission,
999 Mississippi School Boards Association, Mississippi Eye Screening
1000 Program-Vision Research Corporation and Very Special Arts, Arts
1001 Institute, Jobs for Mississippi Graduates, and Mississippi
1002 Symphony, University of Southern Mississippi Safe Schools Program,
1003 Mississippi State University Center for Education Design, Writing
1004 and Thinking Institute and Greater Columbus Early Learning Center.

1005 **SECTION 65.** Of the funds appropriated under the provisions
1006 of this act to the State Board of Education, the amount of Two
1007 Hundred Fifty-one Thousand Four Hundred Sixty Dollars
1008 (\$251,460.00) is provided for the Walnut Grove Correctional
1009 Facility.

1010 **SECTION 66.** Of the funds appropriated in Section 46 to the
1011 State Board of Education, the amounts of Two Hundred Fifty-one
1012 Thousand Four Hundred Sixty Dollars (\$251,460.00) is provided for
1013 the Writing and Thinking Institute and Sixty-six Thousand Nine

1014 Hundred Seventy-three Dollars (\$66,973.00) is provided for the
1015 Very Special Arts Program.

1016 **SECTION 67.** Of the funds appropriated in this act to the
1017 State Board of Education, an amount not to exceed Six Hundred
1018 Fifty Thousand Dollars (\$650,000.00) shall be used for
1019 technological methods for agricultural programs from the
1020 Vocational and Technical Education Division of the State
1021 Department of Education.

1022 **SECTION 68.** Of the funds appropriated in Section 46 to the
1023 State Board of Education, an amount not to exceed Two Million
1024 Sixty-four Thousand Five Hundred Sixteen Dollars (\$2,064,516.00)
1025 shall be transferred from the State Department of Education to the
1026 Mississippi National Guard for the support of the Youth Challenge
1027 Program at Camp Shelby.

1028 **SECTION 69.** Of the funds appropriated under Section 46 to
1029 the State Board of Education, the sum of Sixty-two Thousand One
1030 Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate
1031 sum that the school districts in the Chickasaw Cession receive
1032 annually from interest payments from the Chickasaw School Fund
1033 under Section 212, Mississippi Constitution of 1890, shall be
1034 deducted from the allocations to the school districts as provided
1035 in Section 29-3-137, Mississippi Code of 1972, and shall be
1036 distributed among the school districts in the Chickasaw Cession by
1037 the State Department of Education in the manner that such interest
1038 payments were distributed during Fiscal Year 1985.

1039 **SECTION 70.** Of the funds provided in this act to the State
1040 Board of Education for the purpose of funding the Mississippi
1041 Adequate Education Program as determined under Section 37-151-7,
1042 Mississippi Code of 1972, the base student cost in Fiscal Year
1043 2006 shall be Three Thousand Eight Hundred Eighty-nine Dollars
1044 (\$3,889.00).

1045 **SECTION 71.** Of the funds appropriated in this act to the
1046 State Board of Education, an amount not more than Fifty Million

1047 Dollars (\$50,000,000.00) shall be derived from the Interim School
1048 District Capital Expenditure Fund for the benefit of the school
1049 districts as authorized in Mississippi Code Annotated, Section
1050 37-151-7 (5).

1051 **SECTION 72.** With the funds appropriated under the provisions
1052 of this act to the State Board of Education, the following
1053 positions are authorized for the Mississippi School for the Blind
1054 and the Mississippi School for the Deaf:

1055 AUTHORIZED POSITIONS:

1056	Permanent:	Full Time.....	217
1057		Part Time.....	32
1058	Time-Limited:	Full Time.....	1
1059		Part Time.....	0

1060 None of the funds provided in this act to the State Board of
1061 Education shall be expended to hire any person on a contractual
1062 basis, for any period for any purpose, without the express prior
1063 approval of the State Personnel Director. The State Personnel
1064 Director shall consider, in approving such contracts, the
1065 availability of funds, the need for services, compliance with the
1066 State Compensation Plan and the qualifications of the persons
1067 offering to perform the services. The State Fiscal Officer shall
1068 not pay any warrant that is in violation of this section.

1069 **SECTION 73.** With the funds provided in this act to the State
1070 Board of Education, it is the intention of the Legislature that
1071 the academic teachers at the Mississippi School for the Deaf and
1072 the Mississippi School for the Blind shall receive their annual
1073 increment.

1074 **SECTION 74.** The public school districts of the state are
1075 authorized at their discretion to pay with local funds one hundred
1076 percent (100%) of the cost of the health insurance premiums of the
1077 State and School Employees Health Insurance Plan for all retired
1078 members of the Public Employees' Retirement System who are
1079 employed as school bus drivers by the school districts. It is the

1080 intention of the Legislature that no state funds shall be used for
1081 this purpose.

1082 **SECTION 75.** It is the intention of the Legislature that the
1083 State Department of Education is authorized to escalate or
1084 reescalate for Time-Limited positions where federal or special
1085 fund grants are available to fund such positions.

1086 **MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION**

1087 **SECTION 76.** With the funds appropriated under the provisions
1088 of this act to the Mississippi Authority for Educational
1089 Television, the following positions are authorized:

1090 AUTHORIZED POSITIONS:

1091	Permanent:	Full Time.....	135
1092		Part Time.....	0
1093	Time-Limited:	Full Time.....	6
1094		Part Time.....	0

1095 Funds appropriated herein shall first be used for the
1096 continuation of a full and complete broadcast schedule of
1097 educational and instructional, professional growth, and public
1098 service programs, with the production of new films and programs to
1099 be secondary thereto.

1100 **SECTION 77.** In compliance with the "Mississippi Performance
1101 Budget and Strategic Planning Act of 1994," it is the intent of
1102 the Legislature that the funds provided herein shall be utilized
1103 in the most efficient and effective manner possible to achieve the
1104 intended mission of this agency. Based on the funding authorized,
1105 this agency shall make every effort to attain the targeted
1106 performance measures provided below:

1107		FY2006
1108	<u>Performance Measures</u>	<u>Target</u>
1109	Content Development	
1110	Number of locally produced TV programs	37
1111	Number of locally produced Radio programs	36
1112	Number of persons using other Educ Services	27,500

1146 **SECTION 81.** It is the intention of the Legislature that the
 1147 Mississippi Authority for Educational Television shall have the
 1148 authority to escalate its budget and expend funds from any source
 1149 not to exceed Two Million Dollars (\$2,000,000.00) in accordance
 1150 with rules and regulations of the Department of Finance and
 1151 Administration in a manner consistent with the escalation of
 1152 federal funds.

1153 **MISSISSIPPI LIBRARY COMMISSION**

1154 **SECTION 82.** Of the funds appropriated under the provisions
 1155 of this act to the Mississippi Library Commission, the following
 1156 positions are authorized:

1157 AUTHORIZED POSITIONS:

1158	Permanent:	Full Time.....	56
1159		Part Time.....	0
1160	Time-Limited:	Full Time.....	0
1161		Part Time.....	0

1162 Funds to be distributed to eligible public library systems
 1163 under the Personnel Incentive Grants Program shall be paid
 1164 quarterly in advance on or before September 30, December 31, March
 1165 31 and June 30.

1166 **SECTION 83.** In compliance with the "Mississippi Performance
 1167 Budget and Strategic Planning Act of 1994," it is the intent of
 1168 the Legislature that the funds provided herein shall be utilized
 1169 in the most efficient and effective manner possible to achieve the
 1170 intended mission of this agency. Based on the funding authorized,
 1171 this agency shall make every effort to attain the targeted
 1172 performance measures provided below:

1173		FY2006
1174	<u>Performance Measures</u>	<u>Target</u>
1175	Administrative Services	
1176	Avg Cost of Administering per Grant (\$)	150
1177	Executive Director's Office	
1178	Public Libraries Visited (Actions)	50

1179	Library Aid	
1180	Grants Provided (# of Grants)	150
1181	MAGNOLIA Database Searches (# Queries)	1,700,000

1182	Network Services	
1183	Cost (per hour) for technical consulting	27

1184	Public Services	
1185	Attendees satisfaction rating of cont ed prog	92

1186 A reporting of the degree to which the performance targets
 1187 set above have been or are being achieved shall be provided in the
 1188 agency's budget request submitted to the Joint Legislative Budget
 1189 Committee for Fiscal Year 2007.

1190 **SECTION 84.** Of the funds appropriated under the provisions
 1191 of Section 47 to the Mississippi Library Commission, Four Hundred
 1192 Ninety-three Thousand Eight Hundred Forty-seven Dollars
 1193 (\$493,847.00) shall be derived from the Education Enhancement Fund
 1194 deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi
 1195 Code of 1972.

1196 **SECTION 85.** It is the intention of the Legislature that the
 1197 Mississippi Library Commission shall have the authority to
 1198 escalate its budget and expend funds from any source not to exceed
 1199 Three Million Dollars (\$3,000,000.00) in accordance with rules and
 1200 regulations of the Department of Finance and Administration in a
 1201 manner consistent with the escalation of federal funds.

1202 **SECTION 86.** Of the funds appropriated in this act to the
 1203 Mississippi Library Commission, not less than One Million
 1204 Eighty-six Thousand Three Hundred Forty Dollars (\$1,086,340.00)
 1205 shall be expended for the Magnolia Database.

1206 **SECTION 87.** It is the intention of the Legislature that no
 1207 State General Funds authorized to be expended in this act shall be
 1208 used to replace federal funds and/or other special funds which are
 1209 being used for salaries authorized under the provisions of this
 1210 act and which are withdrawn and no longer available.

1211 With respect to agency programs whose operation is dependent
1212 on the receipt of federal funds, it is the intent of the
1213 Legislature, except as hereinafter provided, that no funds from
1214 the State General Fund be expended to administer, support or in
1215 any way continue such programs should federal funds for their
1216 operation be reduced or become unavailable and that no funds from
1217 the State General Fund available for expenditure under this act
1218 shall be used to replace federal funds in any major object of
1219 expenditure.

1220 With the funds herein appropriated to the State Board of
1221 Education, the Mississippi Authority for Educational Television
1222 and the Mississippi Library Commission, it is the intention of the
1223 Legislature that it shall be the agency's responsibility to make
1224 certain that funds required to be appropriated for "Personal
1225 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
1226 funds appropriated for that purpose, unless programs or positions
1227 are added to the agency's Fiscal Year 2007 budget by the
1228 Mississippi Legislature. Based on data provided by the
1229 Legislative Budget Office, the State Personnel Board shall
1230 determine and publish the projected annual cost to fully fund all
1231 appropriated positions in compliance with the provisions of this
1232 act. It shall be the responsibility of the agency head to insure
1233 that no single personnel action increases this projected annual
1234 cost and/or the Fiscal Year 2006 appropriation for "Personal
1235 Services" when annualized, with the exception of escalated funds.
1236 If, at the time the agency takes any action to change "Personal
1237 Services," the State Personnel Board determines that the agency
1238 has taken an action which would cause the agency to exceed this
1239 projected annual cost or the Fiscal Year 2006 "Personal Services"
1240 appropriated level, when annualized, then only those actions which
1241 reduce the projected annual cost and/or the appropriation
1242 requirement will be processed by the State Personnel Board until
1243 such time as the requirements of this provision are met.

1244 Any transfers or escalations shall be made in accordance with
1245 the terms, conditions and procedures established by law or
1246 allowable under the terms set forth within this act. The State
1247 Personnel Board shall not escalate positions without written
1248 approval from the Department of Finance and Administration. The
1249 Department of Finance and Administration shall not provide written
1250 approval to escalate any funds for salaries and/or positions
1251 without proof of availability of new or additional funds above the
1252 appropriated level.

1253 The agency shall not take any action to award salary
1254 increases through reallocation, reclassification, realignment,
1255 education benchmark or career ladder, except for the award of
1256 teacher pay increases.

1257 **SECTION 88.** It is the intention of the Legislature that the
1258 State Board of Education, Authority for Educational Television,
1259 and the Mississippi Library Commission, shall maintain complete
1260 accounting and personnel records related to the expenditure of all
1261 funds appropriated under the provisions of this act and that such
1262 records shall be in the same format and level of details as
1263 maintained for Fiscal Year 2005. It is further the intention of
1264 the Legislature that the budget requests for Fiscal Year 2007
1265 shall be submitted to the Joint Legislative Budget Committee in a
1266 format and level of detail comparable to the format and level of
1267 detail provided during the Fiscal Year 2006 budget request process
1268 for each agency and institution appropriated funds within the
1269 provisions of this act.

1270 **SECTION 89.** The money herein appropriated shall be paid by
1271 the State Treasurer out of any money in the proper fund or funds
1272 as set forth in this act, upon warrants issued by the State Fiscal
1273 Officer; and the State Fiscal Officer shall issue his warrants
1274 upon requisitions signed by the proper person, officer or officers
1275 in the manner provided by law.

1276 **SECTION 90.** This act shall take effect and be in force from
1277 and after July 1, 2005.