

By: Senator(s) Gordon, Little, Chaney, Burton, Frazier, Harden, Moffatt To: Appropriations

SENATE BILL NO. 2060

1 AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF
2 STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT
3 UNIVERSITIES FOR FISCAL YEAR 2006; AND FOR RELATED PURPOSES.

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

5 SECTION 1. The following sums of money, or so much thereof
6 as may be necessary, are hereby appropriated out of any money in
7 the State General Fund not otherwise appropriated, to the Board of
8 Trustees of State Institutions of Higher Learning for the purpose
9 of support, maintenance, affirmative action plan, interest funds
10 and repairs at the state-supported institutions of higher
11 learning; for support of Mississippi State University, University
12 of Mississippi, Teacher Corps, Mississippi University for Women,
13 University of Southern Mississippi, Delta State University, Alcorn
14 State University, Jackson State University, and Mississippi Valley
15 State University, for the fiscal year beginning July 1, 2005, and
16 ending June 30, 2006..... \$ 255,505,487.00.

17 SECTION 2. The following sums of money, or so much thereof
18 as may be necessary, are hereby appropriated out of the proceeds
19 from any federal, student fees or other special source funds not
20 otherwise appropriated, to the Board of Trustees of State
21 Institutions of Higher Learning for the purpose of support of
22 Mississippi State University, University of Mississippi,
23 Mississippi University for Women, University of Southern
24 Mississippi, Delta State University, Alcorn State University,
25 Jackson State University, and Mississippi Valley State University,
26 for the fiscal year beginning July 1, 2005, and ending
27 June 30, 2006..... \$ 456,946,776.00.

28           **SECTION 3.** The following sums, or so much thereof as may be  
29 necessary, is hereby appropriated out of any money in the Ayers  
30 Endowment Interest Fund, State Treasury Fund No. 3258, for the  
31 purposes as set out by the courts in the Ayers Case for the fiscal  
32 year beginning July 1, 2005, and ending June 30, 2006:

33           Alcorn State University. . . . . \$300,000.00  
34           Jackson State University . . . . . \$300,000.00  
35           Mississippi Valley State University. . . \$300,000.00

36           **SECTION 4.** It is the intention of the Legislature that the  
37 Board of Trustees of State Institutions of Higher Learning shall  
38 allocate funds to the off-campus centers based on a minimum rate  
39 of sixty-five percent (65%) of the on-campus cost of a full-time  
40 equivalent student. The on-campus distribution is to be  
41 determined without regard to the costs incurred by any one or more  
42 of them in the operation of off-campus degree completing centers'  
43 classes. Off-campus centers which are operated jointly by two (2)  
44 or more institutions, the amount allocated to such centers shall  
45 be prorated among the institutions jointly operating such centers  
46 based on the full-time equivalent enrollment of such centers.

47           The board of trustees shall insure that the off-campus  
48 centers are not charged with any indirect or overhead cost  
49 prorated from any on-campus activity. It is the intention of the  
50 Legislature that the on-campus operations charge the off-campus  
51 centers with only actual direct charges.

52           **SECTION 5.** Of the funds appropriated in Section 1, the  
53 amount of One Hundred Fifty-seven Thousand Five Hundred Dollars  
54 (\$157,500.00) shall be used for the promotion and expenses of the  
55 Mississippi Governor's School for the Gifted and Talented.

56           Provided, however, that the Board of Trustees of State  
57 Institutions of Higher Learning shall develop the governing policy  
58 for faculty, course content and facilities selection on a  
59 competitive basis from all Mississippi senior colleges and  
60 universities. The Mississippi Governor's School for the Gifted

61 and Talented shall accept not less than one (1) high school  
62 student nominee from each accredited high school in Mississippi.  
63 The nominees, selected under criteria developed and adopted by the  
64 Board of Trustees of State Institutions of Higher Learning, shall  
65 be provided a three-week tuition-free program.

66 The Board of Trustees of State Institutions of Higher  
67 Learning shall compile and publish the report of the statewide  
68 evaluation committee on the leadership impact of graduates of this  
69 school. This report is to be a continuing study on the youthful  
70 leadership of the state.

71 **SECTION 6.** Of the funds appropriated in Section 1, the  
72 amount of Two Hundred Twenty-five Thousand Dollars (\$225,000.00)  
73 shall be used for the promotion and expenses of the Teacher Corps.

74 **SECTION 7.** It is the intent of the Legislature that no  
75 general funds authorized to be expended herein shall be used to  
76 replace federal funds and/or other special funds which are being  
77 used for salaries authorized under the provisions of this act and  
78 which are withdrawn and no longer available.

79 **SECTION 8.** Of the funds appropriated in Section 1, the  
80 following amounts shall be used as set forth:

- 81 (a) For Mississippi State University as interest  
82 on agricultural land script fund and  
83 interest on sale of university land, the  
84 sum of.....\$ 14,387.00.
- 85 (b) For the University of Mississippi as  
86 interest on original seminary fund, the  
87 sum of.....\$ 32,643.00.
- 88 (c) For the University of Mississippi as  
89 interest on 1904 land grant fund, the  
90 sum of.....\$ 9,965.00.
- 91 (d) For the University of Mississippi as  
92 interest on LaBauve Fund, the sum  
93 of.....\$ 1,420.00.

94 (e) For Mississippi University for Women  
95 as interest on funds paid into the  
96 State Treasury as proceeds of sale of  
97 land donated to the Industrial Institute  
98 and College by the United States  
99 Government, the sum of.....\$ 9,389.00.

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

103 **SECTION 9.** Of the funds appropriated in Section 2, the  
104 following amount shall be derived from Education Enhancement Funds  
105 deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi  
106 Code of 1972:

107 On-campus and off-campus support of Mississippi  
108 State University, the University of Mississippi,  
109 Mississippi University for Women, University of  
110 Southern Mississippi, Delta State University, Alcorn  
111 State University, Jackson State University, and  
112 Mississippi Valley State University for  
113 the sum of..... \$ 44,435,292.00.

114 **SECTION 10.** Of the funds provided herein to the Board of  
115 Trustees of the State Institutions of Higher Learning, Twenty-six  
116 Million Six Hundred Thousand Dollars (\$26,600,000.00) shall be  
117 available to be expended by the Board of Trustees of State  
118 Institutions of Higher Learning for the purpose of defraying the  
119 costs associated with the implementation of the Ayers Settlement  
120 as follows:

121 Ayers related programs at Alcorn State University, Jackson  
122 State University and Mississippi Valley State University  
123 .....\$20,200,000.00  
124 Ayers Endowment Fund.....\$ 5,000,000.00  
125 Interest on the Ayers Endowment Fund.....\$ 900,000.00  
126 Ayers Summer Development Program.....\$ 500,000.00

127           **SECTION 11.** It is the intention of the Legislature that the  
128 Board of Trustees of State Institutions of Higher Learning shall  
129 first use special funds to the greatest extent possible to defray  
130 the costs of providing remediation at the state-supported  
131 institutions of higher learning.

132           **SECTION 12.** None of the funds appropriated by this act shall  
133 be expended for any purpose that is not actually required or  
134 necessary for performing any of the powers or duties of the Board  
135 of Trustees of State Institutions of Higher Learning, or any of  
136 the powers or duties of any institution under the jurisdiction of  
137 the board of trustees, that are authorized by the Mississippi  
138 Constitution of 1890, state or federal law, or rules or  
139 regulations that implement state or federal law.

140           **SECTION 13.** The Board of Trustees of State Institutions of  
141 Higher Learning shall submit to the Committee on Appropriations of  
142 both houses of the Mississippi Legislature by January 1, 2006, a  
143 consolidated report for all the several institutions under its  
144 jurisdiction, on forms and in a manner to be prescribed by the  
145 Legislative Budget Committee, which reflects the anticipated  
146 current restricted fund revenues for the 2006 fiscal year, and the  
147 budgeted use of such current restricted funds by major object  
148 category. For purposes of this section, the term "current  
149 restricted funds" shall be defined as those public funds available  
150 for financing university operations which are limited by the  
151 donor, or by an agency external to the Board of Trustees of State  
152 Institutions of Higher Learning, to specific purposes, programs,  
153 departments or schools, but shall not include endowment funds or  
154 private gifts exempted under the provisions of Section 27-103-5,  
155 Mississippi Code of 1972.

156           **SECTION 14.** It is the intention of the Legislature that the  
157 budget requests of the Institutions for Fiscal Year 2007 shall be  
158 submitted to the Joint Legislative Budget Committee in a format

159 and level of detail comparable to the format and level of detail  
160 provided during the Fiscal Year 2006 budget request process.

161 **SECTION 15.** It is the intention of the Legislature that the  
162 Board of Trustees of State Institutions of Higher Learning  
163 continue to review, and eliminate when possible, duplicating  
164 programs and degrees in the existing institutions of higher  
165 learning in this state.

166 **SECTION 16.** No state appropriations or student tuition and  
167 fee receipts, except those specifically charged for the provision  
168 of the services, shall be used to support auxiliary enterprises,  
169 with the exception of intercollegiate athletics at a level  
170 designated by the board of trustees. It is the intent of the  
171 Legislature that auxiliary enterprises shall be self-supporting;  
172 and that deficits not be taken from funds intended for instruction  
173 and academic programs.

174 **SECTION 17.** However, none of the funds herein appropriated  
175 shall be spent to defray tuition cost or subsidize in any way the  
176 direct cost of education, ordinarily paid by the student, of any  
177 nonresident alien enrolled in any state-supported institution of  
178 higher learning in the State of Mississippi. However, this will  
179 not apply to any nonresident alien student if the United States  
180 has a reciprocal agreement with their country on subsidizing the  
181 education of a United States citizen student.

182 **SECTION 18.** The Board of Trustees shall report yearly to the  
183 Legislature the institution compliance with Section 97-11-51,  
184 Mississippi Code of 1972, which prohibits deficit spending.

185 **SECTION 19.** Any funds appropriated pursuant to this act and  
186 paid as a fee to or deposited in a financial institution shall be  
187 in compliance with Section 109 of the Constitution of the State of  
188 Mississippi and Section 25-4-103, Mississippi Code of 1972.

189 **SECTION 20.** In compliance with the "Mississippi Performance  
190 Budget and Strategic Planning Act of 1994," it is the intent of  
191 the Legislature that the funds provided herein shall be utilized

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

196	FY06
197 <u>Performance Measures</u>	<u>Target</u>
198 Instruction	
199       Maintain a Freshman first-time, full-time	
200               retention rate from fall to fall that is	
201               at or above the national rate for	
202               4-year public institutions as reported	
203               by American College Testing (%)	75.10
204       Maintain a Freshman first-time, full-time	
205               undergraduate graduation rate after	
206               6-years for the system that is at or above	
207               the national rate of 4-year public	
208               institutions as reported by American	
209               College Testing (% Graduated)	51.70
210       Maintain other race personnel with	
211               academic rank at HBCU (%)	67.00
212       Maintain percent of personnel with	
213               academic rank who hold Terminal	
214               Degrees (Doctorate & First	
215               Professional Degrees) (%)	57.50
216 Research	
217       Maintain expenditures of unrestricted	
218               E&G Funds for Research (%)	4.10
219 Public Service	
220       Maintain expenditures of Unrestricted	
221               E&G Funds for Public Services (%)	0.99
222 Academic Support	
223       Strive to reach the 6% average expenditure	
224               for libraries as listed in American Library	

225	Association Standards for academic	
226	& research libraries (% Change)	4.52
227	Maintain expenditure of unrestricted	
228	E&G Funds for technology (%)	3.47
229	Student Services	
230	Maintain expenditures of unrestricted	
231	E&G Funds for Undergraduate	
232	Admissions & records (%)	1.18
233	Maintain expenditures of unrestricted E&G	
234	Funds for undergraduate Financial Aid (%)	1.91
235	Institutional Support	
236	Maintain expenditures of unrestricted E&G	
237	Funds for Institutional Support per Fall	
238	Full-time Equivalent Student (\$)	12.93
239	Operation & Maintenance	
240	Maintain expenditures of unrestricted	
241	E&G Funds for upkeep cost per acre	
242	of grounds (core & off-campus) (\$)	0.81
243	Maintain expenditures of unrestricted	
244	E&G Funds for operation & maintenance	
245	cost per square foot of building (\$)	3.61
246	Scholarship & Fellowships	
247	Maintain number of students receiving	
248	scholarship dollars from unrestricted	
249	E&G Funds (Students)	18,182.00
250	Maintain amount of scholarship dollars	
251	awarded from unrestricted E&G	
252	Funds (\$)	64,185,170.00
253	A reporting of the degree to which the performance targets	
254	set above have been or are being achieved shall be provided in the	
255	agency's budget request submitted to the Joint Legislative Budget	
256	Committee for Fiscal Year 2007.	



257           **SECTION 21.** Of the funds provided herein to the Board of  
258 Trustees of State Institutions of Higher Learning, the following  
259 amount, or so much thereof as may be necessary, shall be expended  
260 to defray the costs of the Center for Advanced Vehicular Studies  
261 at Mississippi State University.....\$ 3,500,000.00.

262           **SECTION 22.** Of the funds provided herein to the Board of  
263 Trustees of State Institutions of Higher Learning, the following  
264 amount, or so much thereof as may be necessary, shall be  
265 allocated equally to Jackson State University, Mississippi State  
266 University, the University of Mississippi, and the University of  
267 Southern Mississippi for economic development, reorganization, and  
268 relocation of efforts at those universities..... \$ 2,000,000.00.

269           **SECTION 23.** Of the funds provided herein to the Board of  
270 Trustees of State Institutions of Higher Learning, the following  
271 amount, or so much thereof as may be necessary, shall be allocated  
272 to Mississippi State University - Meridian Branch.....  
273 ..... \$ 500,000.00.

274           **SECTION 24.** Of the funds provided herein to the Board of  
275 Trustees of State Institutions of Higher Learning, the following  
276 or so much thereof as may be necessary, shall be allocated to  
277 Jackson State University for transfer to the Mississippi  
278 Technology Alliance, and this amount shall be in addition to any  
279 amount allocated to Jackson State University for the support of  
280 on-campus and off-campus operations.....\$ 500,000.00.

281           **SECTION 25.** Of the funds provided herein to the Board of  
282 Trustees of State Institutions of Higher Learning, the following  
283 amount, or so much thereof as may be necessary, shall be allocated  
284 to Greenville Higher Education Center..... \$ 250,000.00.

285           **SECTION 26.** Of the funds provided herein to the Board of  
286 Trustees of State Institutions of Higher Learning, the following  
287 sum or so much thereof as may be necessary, shall be allocated to  
288 Delta State University Department of Commercial Aviation.....  
289 .....\$ 300,000.00.

290           **SECTION 27.** Of the funds provided herein to the Board of  
291 Trustees of State Institutions of Higher Learning, the following  
292 sum or so much thereof as may be necessary, shall be allocated to  
293 the University of Southern Mississippi for economic  
294 development.....\$ 100,000.00.

295           **SECTION 28.** Of the funds appropriated under the provisions  
296 of Section 2, Thirty-nine Million Seven Hundred Ninety-eight  
297 Thousand Six Hundred Forty-eight Dollars (\$39,798,648.00) shall be  
298 derived from the Budget Contingency Fund created in Section 27-  
299 103-301, Mississippi Code of 1972.

300           **SECTION 29.** None of the funds appropriated by this act shall  
301 be expended for the purpose of travel outside the United States.

302           **SECTION 30.** The money herein appropriated shall be paid by  
303 the State Treasurer out of any money in the State Treasury to the  
304 credit of the proper fund or funds as set forth in this act, upon  
305 warrants issued by the State Fiscal Officer; and the State Fiscal  
306 Officer shall issue his warrants upon requisitions signed by the  
307 proper person, officer or officers, in the manner provided by law.

308           **SECTION 31.** This act shall take effect and be in force from  
309 and after July 1, 2005.