

By: Senator(s) Gordon, Little, Chaney,
Burton, Frazier, Harden, Moffatt, Dearing,
Posey

To: Appropriations

SENATE BILL NO. 3021
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF
2 STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT
3 UNIVERSITIES FOR FISCAL YEAR 2007; 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, 2006, and
16 ending June 30, 2007..... \$ 319,287,737.00.

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, 2006, and ending
27 June 30, 2007..... \$ 441,961,138.00.

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, 2006, and ending June 30, 2007:

33 Alcorn State University. \$254,700.00
34 Jackson State University \$390,600.00
35 Mississippi Valley State University. . . \$254,700.00

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 Thirty-five Thousand Dollars (\$235,000.00)
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..... \$ 55,453,883.00.

114 **SECTION 10.** Of the funds provided herein to the Board of
115 Trustees of the State Institutions of Higher Learning,
116 Twenty-seven Million Eight Hundred Fifty Thousand Dollars
117 (\$27,850,000.00) shall be available to be expended by the Board of
118 Trustees of State Institutions of Higher Learning for the purpose
119 of defraying the costs associated with the implementation of the
120 Ayers Settlement 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 Ayers - Attorney Fees..... \$ 1,250,000.00

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

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

141 **SECTION 13.** The Board of Trustees of State Institutions of
142 Higher Learning shall submit to the Committee on Appropriations of
143 both houses of the Mississippi Legislature by January 1, 2007, a
144 consolidated report for all the several institutions under its
145 jurisdiction, on forms and in a manner to be prescribed by the
146 Legislative Budget Committee, which reflects the anticipated
147 current restricted fund revenues for the 2007 fiscal year, and the
148 budgeted use of such current restricted funds by major object
149 category. For purposes of this section, the term "current
150 restricted funds" shall be defined as those public funds available
151 for financing university operations which are limited by the
152 donor, or by an agency external to the Board of Trustees of State
153 Institutions of Higher Learning, to specific purposes, programs,
154 departments or schools, but shall not include endowment funds or
155 private gifts exempted under the provisions of Section 27-103-5,
156 Mississippi Code of 1972.

157 **SECTION 14.** To reduce the cost of, and slow the progression
158 of, end-stage renal disease, the legislatively created Chronic
159 Kidney Disease Task Force, in conjunction with the Board of Health

160 and the University Medical Center, shall develop a plan to educate
161 health care professionals about the advantages of end-stage renal
162 disease modality education, including peritoneal dialysis, prior
163 to the onset of end-stage renal disease when kidney function is
164 declining.

165 **SECTION 15.** It is the intention of the Legislature that the
166 budget requests of the Institutions for Fiscal Year 2008 shall be
167 submitted to the Joint Legislative Budget Committee in a format
168 and level of detail comparable to the format and level of detail
169 provided during the Fiscal Year 2007 budget request process.

170 **SECTION 16.** It is the intention of the Legislature that the
171 Board of Trustees of State Institutions of Higher Learning
172 continue to review, and eliminate when possible, duplicating
173 programs and degrees in the existing institutions of higher
174 learning in this state.

175 **SECTION 17.** No state appropriations or student tuition and
176 fee receipts, except those specifically charged for the provision
177 of the services, shall be used to support auxiliary enterprises,
178 with the exception of intercollegiate athletics at a level
179 designated by the board of trustees. It is the intent of the
180 Legislature that auxiliary enterprises shall be self-supporting;
181 and that deficits not be taken from funds intended for instruction
182 and academic programs.

183 **SECTION 18.** However, none of the funds herein appropriated
184 shall be spent to defray tuition cost or subsidize in any way the
185 direct cost of education, ordinarily paid by the student, of any
186 nonresident alien enrolled in any state-supported institution of
187 higher learning in the State of Mississippi. However, this will
188 not apply to any nonresident alien student if the United States
189 has a reciprocal agreement with their country on subsidizing the
190 education of a United States citizen student.

191 **SECTION 19.** The Board of Trustees shall report yearly to the
192 Legislature the institution compliance with Section 97-11-51,
193 Mississippi Code of 1972, which prohibits deficit spending.

194 **SECTION 20.** Any funds appropriated pursuant to this act and
195 paid as a fee to or deposited in a financial institution shall be
196 in compliance with Section 109 of the Constitution of the State of
197 Mississippi and Section 25-4-103, Mississippi Code of 1972.

198 **SECTION 21.** In compliance with the "Mississippi Performance
199 Budget and Strategic Planning Act of 1994," it is the intent of
200 the Legislature that the funds provided herein shall be utilized
201 in the most efficient and effective manner possible to achieve the
202 intended mission of this agency. Based on the funding authorized,
203 this agency shall make every effort to attain the targeted
204 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
Instruction	
Maintain a Freshman first-time, full-time retention rate from fall to fall that is at or above the national rate for 4-year public institutions as reported by American College Testing (%)	75
Maintain a Freshman first-time, full-time undergraduate graduation rate after 6-years for the system that is at or above the national rate of 4-year public institutions as reported by American College Testing (% Graduated)	53.40
Maintain other race personnel with academic rank at HBCU (%)	33.00
Maintain percent of personnel with academic rank who hold Terminal Degrees (Doctorate & First	

224	Professional Degrees) (%)	77.00
225	Research	
226	Maintain expenditures of unrestricted	
227	E&G Funds for Research (%)	4.00
228	Public Service	
229	Maintain expenditures of Unrestricted	
230	E&G Funds for Public Services (%)	1.00
231	Academic Support	
232	Strive to reach the 6% average expenditure	
233	for libraries as listed in American Library	
234	Association Standards for academic	
235	& research libraries (% Change)	6.00
236	Maintain expenditure of unrestricted	
237	E&G Funds for technology (%)	3.50
238	Student Services	
239	Maintain expenditures of unrestricted	
240	E&G Funds for Undergraduate	
241	Admissions & records (%)	1.20
242	Maintain expenditures of unrestricted	
243	E&G Funds for undergraduate Financial	
244	Aid (%)	1.90
245	Institutional Support	
246	Maintain expenditures of unrestricted E&G	
247	Funds for Institutional Support per	
248	Fall Full-time Equivalent Student (\$)	1,681.00
249	Operation & Maintenance	
250	Maintain expenditures of unrestricted	
251	E&G Funds for upkeep cost per acre	
252	of grounds (core & off-campus) (\$)	1,529.00
253	Maintain expenditures of unrestricted	
254	E&G Funds for operation & maintenance	
255	cost per square foot of building (\$)	1.40
256	Scholarship & Fellowships	

257 Maintain number of students receiving
 258 scholarship dollars from unrestricted
 259 E&G Funds (Students) 20,171
 260 Maintain amount of scholarship dollars
 261 awarded from unrestricted E&G
 262 Funds (\$) 68,891,133

263 A reporting of the degree to which the performance targets
 264 set above have been or are being achieved shall be provided in the
 265 agency's budget request submitted to the Joint Legislative Budget
 266 Committee for Fiscal Year 2008.

267 **SECTION 22.** Of the funds provided herein to the Board of
 268 Trustees of State Institutions of Higher Learning, the following
 269 amount, or so much thereof as may be necessary, shall be
 270 allocated equally to Jackson State University, Mississippi State
 271 University, the University of Mississippi, and the University of
 272 Southern Mississippi for economic development, reorganization, and
 273 relocation of efforts at those universities..... \$ 3,000,000.00.

274 **SECTION 23.** Of the funds provided herein to the Board of
 275 Trustees of State Institutions of Higher Learning, the following
 276 amount, or so much thereof as may be necessary, shall be allocated
 277 to Mississippi State University - Meridian Branch.....
 278 \$ 900,000.00.

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

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

290 **SECTION 26.** 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 Delta State University Department of Commercial Aviation.....
294\$ 400,000.00.

295 **SECTION 27.** Of the funds provided herein to the Board of
296 Trustees of State Institutions of Higher Learning, the following
297 sum or so much thereof as may be necessary, shall be allocated to
298 the University of Southern Mississippi for the commercialization
299 and economic development in Mississippi Polymer
300 Institutes.....\$ 100,000.00.

301 **SECTION 28.** It is the intention of the Legislature that
302 whenever two (2) or more bids are received by this agency for the
303 purchase of commodities or equipment, and whenever all things
304 stated in such received bids are equal with respect to price,
305 quality and service, the Mississippi Industries for the Blind
306 shall be given preference. A similar preference shall be given to
307 the Mississippi Industries for the Blind whenever purchases are
308 made without competitive bids.

309 **SECTION 29.** Of the funds provided herein to the Board of
310 Trustees of State Institutions of Higher Learning, the following
311 amount, or so much thereof as may be necessary, shall be allocated
312 to Jackson State University - E-Learning Center.....
313\$ 100,000.00.

314 **SECTION 30.** Of the funds provided herein to the Board of
315 Trustees of State Institutions of Higher Learning, the following
316 amount, or so much thereof as may be necessary, shall be allocated
317 to the Delta State University - E-Learning Center \$ 100,000.00

318 **SECTION 31.** Of the funds appropriated under the provisions
319 of Section 2, Two Million Dollars (\$2,000,000.00) shall be derived
320 from the Budget Contingency Fund, as created in Section
321 27-103-301, Mississippi Code of 1972.

322 **SECTION 32.** It is the intention of the Legislature, that
323 with the funds provided in this act a salary increase in the
324 amount of Six Thousand Dollars (\$6,000.00) per full-time
325 equivalent shall be awarded to all nursing faculty of the
326 Institutions of Higher Learning effective July 1, 2006.

327 **SECTION 33.** None of the funds appropriated by this act shall
328 be expended for the purpose of travel outside the United States.

329 **SECTION 34.** It is legislative intent to ensure beneficial
330 information reaches as many Mississippians as possible. Further,
331 it is legislative intent that the expenditure of public funds for
332 this purpose be accomplished in an efficient and effective manner.

333 Therefore, state agencies as standard procedure, will observe
334 the following criteria:

- 335 (1) Develop goals and desired result for a campaign.
- 336 (2) Evaluate effectiveness through respected advertising
337 standards, including market reach and cost effectiveness.
- 338 (3) Seek public service announcements, which would be aired
339 by media without cost.
- 340 (4) Itemize and justify professional assistance and related
341 expenses for creative and production costs outside of the actual
342 media expenditures.
- 343 (5) Utilize Mississippi owned media companies when feasible.

344 **SECTION 35.** The money herein appropriated shall be paid by
345 the State Treasurer out of any money in the State Treasury to the
346 credit of the proper fund or funds as set forth in this act, upon
347 warrants issued by the State Fiscal Officer; and the State Fiscal
348 Officer shall issue his warrants upon requisitions signed by the
349 proper person, officer or officers, in the manner provided by law.

350 **SECTION 36.** This act shall take effect and be in force from
351 and after July 1, 2006.