

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

To: Appropriations

SENATE BILL NO. 3023
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE
2 PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI
3 FOR FISCAL YEARS 2006 AND 2007.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the aid and support
8 of the public community and junior colleges for the fiscal year
9 beginning July 1, 2006, and ending June 30, 2007.....
10 \$ 117,775,388.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the
13 Education Enhancement Fund deposited pursuant to Sections 27-65-75
14 and 27-67-31, Mississippi Code of 1972, not otherwise
15 appropriated, for the aid and support of public community and
16 junior colleges for the fiscal year beginning July 1, 2006, and
17 ending June 30, 2007..... \$ 38,559,121.00.

18 **SECTION 3.** It is the intention of the Legislature, that with
19 the funds provided in this act a salary increase in the amount of
20 Six Thousand Dollars (\$6,000.00) per full-time equivalent shall be
21 awarded to all nursing faculty of the community and junior
22 colleges.

23 **SECTION 4.** The funds appropriated in this act for the aid
24 and support of the public and community junior colleges shall be
25 apportioned in accordance with the following assigned weights:

26	<u>Assigned Weight</u>	
27	1/5 Head Count	4/5 FTE

28	<u>Formula Section</u>	<u>Formula</u>	<u>Formula</u>
29	(1) Aid to Colleges:		
30	Base	5% of prior year	13% prior year
31		appropriation	appropriation
32	Academic	1.0	1.0
33	Technical	1.00	1.0
34	Virtual Comm.		
35	College	.55	.50
36	(2) Vocational	1.0	1.0
37	(3) Part-time	.55	
38	(4) Associate Degree		
39	Nursing	1.0	1.19
40	(5) Associate Degree		
41	Allied Health		1.19

42 In the 1/5 Head Count Formula such Academic, Technical, and
43 Vocational funds shall be disbursed to such public community and
44 junior colleges on the basis of the full-time enrollment of each
45 such public community and junior college as of the last day of the
46 sixth week of the fall semester, or its equivalent, of the
47 preceding year, counting only students who reside within the State
48 of Mississippi. Part-time academic, vocational and technical
49 credit courses may qualify on the basis of the prior year
50 full-time equivalency of part-time and summer students, counting
51 only students who reside within the State of Mississippi.

52 Virtual Community College hosted and provided courses may
53 qualify on the basis of the prior year full-time equivalency of
54 Virtual Community College hours generated during the summer, fall
55 and spring semesters that did not make a student full time in the
56 fall semester.

57 In the 4/5 FTE Formula, such Academic, Technical, Vocational,
58 Associate Degree Nursing and Associate Degree Allied Health funds
59 shall be disbursed on the basis of prior year full-time
60 equivalency (FTE) of hours generated during the summer, fall and

61 spring semesters for each public community and junior college as
62 of the last day of the sixth week of each semester, or its
63 equivalent, counting only students who reside within the State of
64 Mississippi. However, associate degree nursing students who
65 reside outside the State of Mississippi may be counted for pay
66 purposes.

67 Virtual Community College hosted and provided courses may
68 qualify on the basis of the prior year full-time equivalency of
69 Virtual Community College hours generated during the summer, fall
70 and spring semesters. Those semester credit hours being hosted
71 and provided by one institution shall receive funding at the
72 weight of 1.0.

73 Of the funds appropriated in the act for the aid and support
74 of the public community and junior colleges, funds up to Three
75 Million Forty-four Thousand Dollars (\$3,044,000.00) are provided
76 to be set aside as a mechanism to hold harmless those colleges
77 that lose funding in the fourth year of a five-year phase-in
78 implementation period to a full-time equivalency (FTE) funding
79 formula.

80 The Director of the State Board for Community and Junior
81 Colleges, or his designee, shall audit each public community and
82 junior college and shall determine who shall be counted in each
83 college and shall certify the number to the State Board for
84 Community and Junior Colleges.

85 If, pending determination of the enrollment of students at
86 the public community and junior colleges entitled to participate
87 in this appropriation, as provided for in this subsection, the
88 State Board for Community and Junior Colleges shall find and
89 determine that any such public or community junior college does
90 not have sufficient funds on hand for payment of the necessary
91 expenses of its operation for the period commencing July 1, 2006,
92 until distribution of the funds appropriated hereby, then, in that
93 event, the State Board for Community and Junior Colleges is

94 expressly authorized to make an advance to any such public
95 community or junior college or colleges not having sufficient
96 operating funds for such period from the funds appropriated
97 hereby; provided, however, that the amount of any such advance to
98 any one public community or junior college shall not exceed
99 thirty-three percent (33%) of the amount of state appropriated
100 funds received by such public community or junior college during
101 the preceding fiscal year; and provided, further, that the amount
102 of any such advance shall be deducted from the pro rata part of
103 the funds appropriated hereby accruing to said public community or
104 junior college when enrollment has been ascertained and
105 distribution of funds is made.

106 **SECTION 5.** No part of the amount herein appropriated shall
107 be used by the State Board for Community and Junior Colleges for
108 administrative or other purposes except in the manner and to the
109 extent authorized in the act making an appropriation for the
110 expenses of the State Board for Community and Junior Colleges.

111 **SECTION 6.** The funds disbursed under the provisions of this
112 act shall be accounted for through the State Board for Community
113 and Junior Colleges.

114 **SECTION 7.** The following public community and junior
115 colleges which qualify shall participate in the funds provided by
116 Sections 1, 2 and 3 of this act:

117 Coahoma Community College, Copiah-Lincoln Community College,
118 East Central Community College, East Mississippi Community
119 College, Hinds Community College District, Holmes Community
120 College, Itawamba Community College, Jones County Junior College,
121 Meridian Community College, Mississippi Delta Community College,
122 Mississippi Gulf Coast Community College District, Northeast
123 Mississippi Community College, Northwest Mississippi Community
124 College, Pearl River Community College, and Southwest Mississippi
125 Community College.

126 **SECTION 8.** It is the intention of the Legislature that none
127 of the General Funds appropriated herein shall be expended for the
128 purpose of paying salaries, wages, and fringe benefits of any
129 public community and junior college employee who is serving as a
130 member of the State of Mississippi Legislature.

131 **SECTION 9.** The following sum, or so much thereof as may be
132 necessary, is hereby appropriated out of any money in the State
133 General Fund not otherwise appropriated, to the State Board for
134 Community and Junior Colleges for the purposes of hiring nursing
135 and allied health teachers, awarding interest free nursing and
136 allied health student loans and providing instructional support
137 for the Rural Health Corps for the fiscal year beginning
138 July 1, 2006, and ending June 30, 2007..... \$ 1,200,000.00.

139 The funds appropriated in this section shall be allocated as
140 follows:

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

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

149 The public community and junior colleges shall prepare and
150 make available to the Legislature and the Legislative Budget
151 Office an accounting of expenditures and program accomplishments
152 of the Rural Health Corps Program for each of the individual
153 community and junior colleges in a format and manner prescribed by
154 the Legislative Budget Office.

155 **SECTION 10.** The following sum, or so much thereof as may be
156 necessary, is hereby appropriated out of any money in the State
157 General Fund not otherwise appropriated, for the aid of the public
158 community and junior colleges, to fund life and health insurance,

159 for all employees of the public community and junior colleges for
160 the fiscal year beginning July 1, 2006, and ending June 30, 2007.
161 \$ 20,860,000.00.

162 The funds allocated in this section shall only be used to
163 participate in the State and School Employees' Life and Health
164 Insurance Plan. Any funds appropriated in this section which are
165 not expended during the fiscal year shall be carried forward for
166 the same purposes during the next succeeding fiscal year.

167 **SECTION 11.** The following sum, or so much thereof as may be
168 necessary, is hereby appropriated out of any money in the State
169 General Fund not otherwise appropriated, for the purpose of
170 establishing and operating Workforce Development Centers at each
171 of the public community and junior colleges for the fiscal year
172 beginning July 1, 2006, and ending June 30, 2007.....
173 \$ 4,500,000.00.

174 **SECTION 12.** The following sum, or so much thereof as may be
175 necessary, is hereby appropriated out of any money in the State
176 General Fund not otherwise appropriated, to the State Board for
177 Community and Junior Colleges for the purpose of defraying the
178 cost of Sign Language Interpreter Training at the public community
179 and junior colleges for the fiscal year beginning July 1, 2006,
180 and ending June 30, 2007..... \$ 179,050.00.

181 **SECTION 13.** The following sum, or so much thereof as may be
182 necessary, is hereby appropriated out of any money in the State
183 General Fund not otherwise appropriated, to the State Board for
184 Community and Junior Colleges for the purpose of defraying the
185 cost of the Education Technology Program at the public community
186 and junior colleges for the fiscal year beginning July 1, 2006,
187 and ending June 30, 2007..... \$ 3,599,160.00.

188 **SECTION 14.** The following sum, or so much thereof as may be
189 necessary, is hereby appropriated out of any money in the
190 Education Enhancement Fund not otherwise appropriated, to the
191 State Board for Community and Junior Colleges for the purpose of

192 defraying the cost of servicing the debt on bonds issued for the
 193 Education Technology Program at the community and junior colleges
 194 for the fiscal year beginning July 1, 2006, and ending
 195 June 30, 2007..... \$ 3,137,015.00.

196 The funds appropriated in this section shall be derived from
 197 Education Enhancement Funds deposited pursuant to Sections
 198 27-65-75 and 27-67-31, Mississippi Code of 1972.

199 **SECTION 15.** A Mississippi Prepaid Affordable College Tuition
 200 (MPACT) program beneficiary shall be considered a Mississippi
 201 resident for the purposes of participating in this appropriation
 202 regardless of the beneficiary's residence on the date of
 203 enrollment, as set out in Mississippi Code Annotated, Section
 204 37-155-5(d)(iii).

205 **SECTION 16.** In compliance with the "Mississippi Performance
 206 Budget and Strategic Planning Act of 1994," it is the intent of
 207 the Legislature that the funds provided herein shall be utilized
 208 in the most efficient and effective manner possible to achieve the
 209 intended mission of this agency. Based on the funding authorized,
 210 this agency shall make every effort to attain the targeted
 211 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
Instruction	
Cumulative grade point average of community college transfer students attending State Institutions of Higher Learning will equal or exceed the Grade Point Average earned by native students in the same university system (GPA based on a 4.0 scale)	2.80
Average Class Size (Students/Class)	21
Percentage of community & junior college associate degree nursing graduates who pass the state board nursing exam on	

225	the first write (%)	92
226	Percentage of full-time & adjunct	
227	(part-time) faculty who met the	
228	criteria for academic & professional	
229	preparation (%)	100
230	Percentage of vocational-technical	
231	students who complete or exit a program	
232	& are considered positively placed (%)	92
233	Total cost per full-time equivalent	
234	student (\$)	4,806.00

235 Physical Plant Operation

236	Percentage of community & junior colleges	
237	with a written comprehensive safety &	
238	health program implemented to ensure safe	
239	working conditions & practices (%)	100
240	Number of student injuries on community	
241	& junior colleges grounds (Students)	64
242	Number of employee injuries on community	
243	& junior colleges grounds (Employees)	90

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

248 **SECTION 17.** The following sum, or so much thereof as may be
 249 necessary, is hereby appropriated out of any money in the State
 250 General Fund not otherwise appropriated, to the State Board for
 251 Community and Junior Colleges for the purpose of defraying the
 252 cost of Advanced Training Centers at each of the Public Community
 253 and Junior Colleges, for the fiscal year beginning July 1, 2006,
 254 and ending June 30, 2007.....\$ 2,250,000.00.

255 **SECTION 18.** It is the intention of the Legislature that
 256 whenever two (2) or more bids are received by this agency for the
 257 purchase of commodities or equipment, and whenever all things

258 stated in such received bids are equal with respect to price,
259 quality and service, the Mississippi Industries for the Blind
260 shall be given preference. A similar preference shall be given to
261 the Mississippi Industries for the Blind whenever purchases are
262 made without competitive bids.

263 **SECTION 19.** It is legislative intent to ensure beneficial
264 information reaches as many Mississippians as possible. Further,
265 it is legislative intent that the expenditure of public funds for
266 this purpose be accomplished in an efficient and effective manner.

267 Therefore, state agencies as standard procedure, will observe
268 the following criteria:

- 269 (1) Develop goals and desired result for a campaign.
- 270 (2) Evaluate effectiveness through respected advertising
271 standards, including market reach and cost effectiveness.
- 272 (3) Seek public service announcements, which would be aired
273 by media without cost.
- 274 (4) Itemize and justify professional assistance and related
275 expenses for creative and production costs outside of the actual
276 media expenditures.
- 277 (5) Utilize Mississippi owned media companies when feasible.

278 **SECTION 20.** In addition to all other funds heretofore
279 appropriated, the following sum is hereby appropriated out of any
280 money in the State General Fund not otherwise appropriated, to the
281 credit of the public community and junior colleges for the purpose
282 of defraying the expenses of damages sustained during Hurricane
283 Katrina for Jones County Junior College, Gulf Coast Community
284 College and Pearl River Community College for the period beginning
285 upon passage and through June 30, 2006..... \$ 13,000,000.00.

286 As a condition of receiving the funds provided herein, the
287 Community and Junior Colleges shall pay into the State General
288 Fund any funds that are received from the Federal Emergency
289 Management Agency (FEMA), or any other federal agency, as
290 reimbursement for any of the purposes described in this act.

291 **SECTION 21.** The money herein appropriated shall be paid by
292 the State Treasurer out of any money in the State Treasury to the
293 credit of the proper fund or funds as set forth in this act, upon
294 warrants issued by the State Fiscal Officer; and the State Fiscal
295 Officer shall issue his warrants upon requisitions signed by the
296 proper person, officer or officers, in the manner provided by law.

297 **SECTION 22.** This act shall take effect and be in force from
298 and after July 1, 2006, except for Section 20 which shall take
299 effect and be in force from and after its passage.