

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3021: Appropriation; IHL - General Support.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

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

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.** It is the intention of the Legislature that the
158 budget requests of the Institutions for Fiscal Year 2008 shall be
159 submitted to the Joint Legislative Budget Committee in a format
160 and level of detail comparable to the format and level of detail
161 provided during the Fiscal Year 2007 budget request process.

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

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

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

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

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

190 **SECTION 20.** In compliance with the "Mississippi Performance
191 Budget and Strategic Planning Act of 1994," it is the intent of
192 the Legislature that the funds provided herein shall be utilized
193 in the most efficient and effective manner possible to achieve the
194 intended mission of this agency. Based on the funding authorized,
195 this agency shall make every effort to attain the targeted
196 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
199 Instruction	
200 Maintain a Freshman first-time, full-time	
201 retention rate from fall to fall that	
202 is at or above the national rate for	
203 4-year public institutions as reported	
204 by American College Testing (%)	75
205 Maintain a Freshman first-time, full-time	
206 undergraduate graduation rate after	
207 6-years for the system that is at or above	
208 the national rate of 4-year public	
209 institutions as reported by American	
210 College Testing (% Graduated)	53.40
211 Maintain other race personnel with	
212 academic rank at HBCU (%)	33.00
213 Maintain percent of personnel with	
214 academic rank who hold Terminal	

215	Degrees (Doctorate & First	
216	Professional Degrees) (%)	77.00
217	Research	
218	Maintain expenditures of unrestricted	
219	E&G Funds for Research (%)	4.00
220	Public Service	
221	Maintain expenditures of Unrestricted	
222	E&G Funds for Public Services (%)	1.00
223	Academic Support	
224	Strive to reach the 6% average expenditure	
225	for libraries as listed in American Library	
226	Association Standards for academic	
227	& research libraries (% Change)	6.00
228	Maintain expenditure of unrestricted	
229	E&G Funds for technology (%)	3.50
230	Student Services	
231	Maintain expenditures of unrestricted	
232	E&G Funds for Undergraduate	
233	Admissions & records (%)	1.20
234	Maintain expenditures of unrestricted	
235	E&G Funds for undergraduate Financial	
236	Aid (%)	1.90
237	Institutional Support	
238	Maintain expenditures of unrestricted E&G	
239	Funds for Institutional Support per	
240	Fall Full-time Equivalent Student (\$)	1,681.00
241	Operation & Maintenance	
242	Maintain expenditures of unrestricted	
243	E&G Funds for upkeep cost per acre	
244	of grounds (core & off-campus) (\$)	1,529.00
245	Maintain expenditures of unrestricted	
246	E&G Funds for operation & maintenance	

247 cost per square foot of building (\$) 1.40
 248 Scholarship & Fellowships
 249 Maintain number of students receiving
 250 scholarship dollars from unrestricted
 251 E&G Funds (Students) 20,171
 252 Maintain amount of scholarship dollars
 253 awarded from unrestricted E&G
 254 Funds (\$) 68,891,133

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

259 **SECTION 21.** Of the funds provided herein to the Board of
 260 Trustees of State Institutions of Higher Learning, the following
 261 amount, or so much thereof as may be necessary, shall be
 262 allocated equally to Jackson State University, Mississippi State
 263 University, the University of Mississippi, and the University of
 264 Southern Mississippi for economic development, reorganization, and
 265 relocation of efforts at those universities..... \$ 3,000,000.00.

266 **SECTION 22.** Of the funds provided herein to the Board of
 267 Trustees of State Institutions of Higher Learning, the following
 268 amount, or so much thereof as may be necessary, shall be allocated
 269 to Mississippi State University - Meridian Branch.....
 270 \$ 900,000.00.

271 **SECTION 23.** Of the funds provided herein to the Board of
 272 Trustees of State Institutions of Higher Learning, the following
 273 or so much thereof as may be necessary, shall be allocated to
 274 Jackson State University for transfer to the Mississippi
 275 Technology Alliance, and this amount shall be in addition to any
 276 amount allocated to Jackson State University for the support of
 277 on-campus and off-campus operations.....\$ 500,000.00.

278 **SECTION 24.** Of the funds provided herein to the Board of
279 Trustees of State Institutions of Higher Learning, the following
280 amount, or so much thereof as may be necessary, shall be allocated
281 to Greenville Higher Education Center..... \$ 250,000.00.

282 **SECTION 25.** Of the funds provided herein to the Board of
283 Trustees of State Institutions of Higher Learning, the following
284 sum or so much thereof as may be necessary, shall be allocated to
285 Delta State University Department of Commercial Aviation.....
286\$ 400,000.00.

287 **SECTION 26.** Of the funds provided herein to the Board of
288 Trustees of State Institutions of Higher Learning, the following
289 sum or so much thereof as may be necessary, shall be allocated to
290 the University of Southern Mississippi for the commercialization
291 and economic development in Mississippi Polymer
292 Institutes.....\$ 100,000.00.

293 **SECTION 27.** It is the intention of the Legislature that
294 whenever two (2) or more bids are received by this agency for the
295 purchase of commodities or equipment, and whenever all things
296 stated in such received bids are equal with respect to price,
297 quality and service, the Mississippi Industries for the Blind
298 shall be given preference. A similar preference shall be given to
299 the Mississippi Industries for the Blind whenever purchases are
300 made without competitive bids.

301 **SECTION 28.** Of the funds provided herein to the Board of
302 Trustees of State Institutions of Higher Learning, the following
303 amount, or so much thereof as may be necessary, shall be allocated
304 to the Delta State University - E-Learning Center.. \$ 100,000.00

305 **SECTION 29.** Of the funds appropriated under the provisions
306 of Section 2, Two Million Dollars (\$2,000,000.00) shall be derived
307 from the Budget Contingency Fund, as created in Section
308 27-103-301, Mississippi Code of 1972.

309 **SECTION 30.** It is the intention of the Legislature, that
310 with the funds provided in this act a salary increase in the
311 amount of Six Thousand Dollars (\$6,000.00) per full-time
312 equivalent shall be awarded to all nursing faculty of the
313 Institutions of Higher Learning effective July 1, 2006.

314 **SECTION 31.** None of the funds appropriated by this act shall
315 be expended for the purpose of travel outside the United States.

316 **SECTION 32.** It is legislative intent to ensure beneficial
317 information reaches as many Mississippians as possible. Further,
318 it is legislative intent that the expenditure of public funds for
319 this purpose be accomplished in an efficient and effective manner.

320 Therefore, state agencies as standard procedure, will observe
321 the following criteria:

322 (1) Develop goals and desired result for a campaign.

323 (2) Evaluate effectiveness through respected advertising
324 standards, including market reach and cost effectiveness.

325 (3) Seek public service announcements, which would be aired
326 by media without cost.

327 (4) Itemize and justify professional assistance and related
328 expenses for creative and production costs outside of the actual
329 media expenditures.

330 (5) Utilize Mississippi owned media companies when feasible.

331 **SECTION 33.** The money herein appropriated shall be paid by
332 the State Treasurer out of any money in the State Treasury to the
333 credit of the proper fund or funds as set forth in this act, upon
334 warrants issued by the State Fiscal Officer; and the State Fiscal
335 Officer shall issue his warrants upon requisitions signed by the

336 proper person, officer or officers, in the manner provided by law.

337 **SECTION 34.** This act shall take effect and be in force from

338 and after July 1, 2006.

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Chaney

X (SIGNED)
Harden

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Gadd

X (SIGNED)
McBride