

**REPORT OF CONFERENCE COMMITTEE**

**# 2**

**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.** 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>
207 Instruction	
208       Maintain a Freshman first-time, full-time	
209               retention rate from fall to fall that	
210               is at or above the national rate for	
211               4-year public institutions as reported	
212               by American College Testing (%)	75
213       Maintain a Freshman first-time, full-time	
214               undergraduate graduation rate after	
215               6-years for the system that is at or above	
216               the national rate of 4-year public	

217	institutions as reported by American	
218	College Testing (% Graduated)	53.40
219	Maintain other race personnel with	
220	academic rank at HBCU (%)	33.00
221	Maintain percent of personnel with	
222	academic rank who hold Terminal	
223	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.

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