

House Amendments to Senate Bill No. 3023

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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

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 \$ 99,322,569.00.

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..... \$ 31,371,348.00.

18 **SECTION 3.** The following sum, or so much thereof as may be
19 necessary, is appropriated out of any money in the Budget
20 Contingency Fund, created in Section 27-103-301, Mississippi Code
21 of 1972, for the aid and support of the public community and
22 junior colleges, for the fiscal year beginning July 1, 2006, and
23 ending June 30, 2007..... \$ 2,286,240.00.

24 **SECTION 4.** It is the intention of the Legislature, that with
25 the funds provided in this act a salary increase in the amount of
26 Six Thousand Five Hundred Dollars (\$6,500.00) per full-time
27 equivalent shall be awarded to all nursing faculty of the
28 community and junior colleges effective July 1, 2006.

29 **SECTION 5.** The funds appropriated in this act for the aid
 30 and support of the public and community junior colleges shall be
 31 apportioned in accordance with the following assigned weights:

		<u>Assigned Weight</u>	
		1/5 Head Count	4/5 FTE
<u>Formula Section</u>		<u>Formula</u>	<u>Formula</u>
35	(1) Aid to Colleges:		
36	Base	5% of prior year	13% prior year
37		appropriation	appropriation
38	Academic	1.0	1.0
39	Technical	1.00	1.0
40	Virtual Comm.		
41	College	.55	.50
42	(2) Vocational	1.0	1.0
43	(3) Part-time	.55	
44	(4) Associate Degree		
45	Nursing	1.0	1.19
46	(5) Associate Degree		
47	Allied Health		1.19

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

58 Virtual Community College hosted and provided courses may
 59 qualify on the basis of the prior year full-time equivalency of
 60 Virtual Community College hours generated during the summer, fall
 61 and spring semesters that did not make a student full time in the
 62 fall semester.

63 In the 4/5 FTE Formula, such Academic, Technical, Vocational,
64 Associate Degree Nursing and Associate Degree Allied Health funds
65 shall be disbursed on the basis of prior year full-time
66 equivalency (FTE) of hours generated during the summer, fall and
67 spring semesters for each public community and junior college as
68 of the last day of the sixth week of each semester, or its
69 equivalent, counting only students who reside within the State of
70 Mississippi. However, associate degree nursing students who
71 reside outside the State of Mississippi may be counted for pay
72 purposes.

73 Virtual Community College hosted and provided courses may
74 qualify on the basis of the prior year full-time equivalency of
75 Virtual Community College hours generated during the summer, fall
76 and spring semesters. Those semester credit hours being hosted
77 and provided by one institution shall receive funding at the
78 weight of 1.0.

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

86 The Director of the State Board for Community and Junior
87 Colleges, or his designee, shall audit each public community and
88 junior college and shall determine who shall be counted in each
89 college and shall certify the number to the State Board for
90 Community and Junior Colleges.

91 If, pending determination of the enrollment of students at
92 the public community and junior colleges entitled to participate
93 in this appropriation, as provided for in this subsection, the
94 State Board for Community and Junior Colleges shall find and
95 determine that any such public or community junior college does
96 not have sufficient funds on hand for payment of the necessary
97 expenses of its operation for the period commencing July 1, 2006,

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

112 **SECTION 6.** No part of the amount herein appropriated shall
113 be used by the State Board for Community and Junior Colleges for
114 administrative or other purposes except in the manner and to the
115 extent authorized in the act making an appropriation for the
116 expenses of the State Board for Community and Junior Colleges.

117 **SECTION 7.** The funds disbursed under the provisions of this
118 act shall be accounted for through the State Board for Community
119 and Junior Colleges.

120 **SECTION 8.** The following public community and junior
121 colleges which qualify shall participate in the funds provided by
122 Sections 1, 2 and 3 of this act:

123 Coahoma Community College, Copiah-Lincoln Community College,
124 East Central Community College, East Mississippi Community
125 College, Hinds Community College District, Holmes Community
126 College, Itawamba Community College, Jones County Junior College,
127 Meridian Community College, Mississippi Delta Community College,
128 Mississippi Gulf Coast Community College District, Northeast
129 Mississippi Community College, Northwest Mississippi Community
130 College, Pearl River Community College, and Southwest Mississippi
131 Community College.

132 **SECTION 9.** It is the intention of the Legislature that none
133 of the General Funds appropriated herein shall be expended for the
134 purpose of paying salaries, wages, and fringe benefits of any
135 public community and junior college employee who is serving as a
136 member of the State of Mississippi Legislature.

137 **SECTION 10.** The following sum, or so much thereof as may be
138 necessary, is hereby appropriated out of any money in the State
139 General Fund not otherwise appropriated, to the State Board for
140 Community and Junior Colleges for the purposes of hiring nursing
141 and allied health teachers, awarding interest free nursing and
142 allied health student loans and providing instructional support
143 for the Rural Health Corps for the fiscal year beginning
144 July 1, 2006, and ending June 30, 2007..... \$ 1,200,000.00.

145 The funds appropriated in this section shall be allocated as
146 follows:

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

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

155 The public community and junior colleges shall prepare and
156 make available to the Legislature and the Legislative Budget
157 Office an accounting of expenditures and program accomplishments
158 of the Rural Health Corps Program for each of the individual
159 community and junior colleges in a format and manner prescribed by
160 the Legislative Budget Office.

161 **SECTION 11.** The following sum, or so much thereof as may be
162 necessary, is hereby appropriated out of any money in the State
163 General Fund not otherwise appropriated, for the aid of the public
164 community and junior colleges, to fund life and health insurance,
165 for all employees of the public community and junior colleges for
166 the fiscal year beginning July 1, 2006, and ending June 30, 2007.

167 \$ 18,820,000.00.

168 The funds allocated in this section shall only be used to
169 participate in the State and School Employees' Life and Health
170 Insurance Plan. Any funds appropriated in this section which are
171 not expended during the fiscal year shall be carried forward for
172 the same purposes during the next succeeding fiscal year.

173 **SECTION 12.** The following sum, or so much thereof as may be
174 necessary, is hereby appropriated out of any money in the State
175 General Fund not otherwise appropriated, for the purpose of
176 establishing and operating Workforce Development Centers at each
177 of the public community and junior colleges for the fiscal year
178 beginning July 1, 2006, and ending June 30, 2007.....
179 \$ 4,500,000.00.

180 **SECTION 13.** The following sum, or so much thereof as may be
181 necessary, is hereby appropriated out of any money in the State
182 General Fund not otherwise appropriated, to the State Board for
183 Community and Junior Colleges for the purpose of defraying the
184 cost of Sign Language Interpreter Training at the public community
185 and junior colleges for the fiscal year beginning July 1, 2006,
186 and ending June 30, 2007..... \$ 179,050.00.

187 **SECTION 14.** The following sum, or so much thereof as may be
188 necessary, is hereby appropriated out of any money in the State
189 General Fund not otherwise appropriated, to the State Board for
190 Community and Junior Colleges for the purpose of defraying the
191 cost of the Education Technology Program at the public community
192 and junior colleges for the fiscal year beginning July 1, 2006,
193 and ending June 30, 2007..... \$ 3,599,160.00.

194 **SECTION 15.** The following sum, or so much thereof as may be
195 necessary, is hereby appropriated out of any money in the
196 Education Enhancement Fund not otherwise appropriated, to the
197 State Board for Community and Junior Colleges for the purpose of
198 defraying the cost of servicing the debt on bonds issued for the
199 Education Technology Program at the community and junior colleges
200 for the fiscal year beginning July 1, 2006, and ending
201 June 30, 2007..... \$ 3,137,015.00.

202 The funds appropriated in this section shall be derived from
 203 Education Enhancement Funds deposited pursuant to Sections
 204 27-65-75 and 27-67-31, Mississippi Code of 1972.

205 **SECTION 16.** A Mississippi Prepaid Affordable College Tuition
 206 (MPACT) program beneficiary shall be considered a Mississippi
 207 resident for the purposes of participating in this appropriation
 208 regardless of the beneficiary's residence on the date of
 209 enrollment, as set out in Mississippi Code Annotated, Section
 210 37-155-5(d)(iii).

211 **SECTION 17.** In compliance with the "Mississippi Performance
 212 Budget and Strategic Planning Act of 1994," it is the intent of
 213 the Legislature that the funds provided herein shall be utilized
 214 in the most efficient and effective manner possible to achieve the
 215 intended mission of this agency. Based on the funding authorized,
 216 this agency shall make every effort to attain the targeted
 217 performance measures provided below:

218	FY07
219 <u>Performance Measures</u>	<u>Target</u>
220 Instruction	
221 Cumulative grade point average of community	
222 college transfer students attending State	
223 Institutions of Higher Learning will equal	
224 or exceed the Grade Point Average earned	
225 by native students in the same university	
226 system (GPA based on a 4.0 scale)	2.80
227 Average Class Size (Students/Class)	21
228 Percentage of community & junior college	
229 associate degree nursing graduates who	
230 pass the state board nursing exam on	
231 the first write (%)	92
232 Percentage of full-time & adjunct	
233 (part-time) faculty who met the	
234 criteria for academic & professional	
235 preparation (%)	100
236 Percentage of vocational-technical	

237	students who complete or exit a program	
238	& are considered positively placed (%)	92
239	Total cost per full-time equivalent	
240	student (\$)	4,806.00
241	Physical Plant Operation	
242	Percentage of community & junior colleges	
243	with a written comprehensive safety &	
244	health program implemented to ensure safe	
245	working conditions & practices (%)	100
246	Number of student injuries on community	
247	& junior colleges grounds (Students)	64
248	Number of employee injuries on community	
249	& junior colleges grounds (Employees)	90

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

254 **SECTION 18.** The following sum, or so much thereof as may be
255 necessary, is hereby appropriated out of any money in the State
256 General Fund not otherwise appropriated, to the State Board for
257 Community and Junior Colleges for the purpose of defraying the
258 cost of Advanced Training Centers at each of the Public Community
259 and Junior Colleges, for the fiscal year beginning July 1, 2006,
260 and ending June 30, 2007.....\$ 2,250,000.00.

261 **SECTION 19.** It is the intention of the Legislature that
262 whenever two (2) or more bids are received by this agency for the
263 purchase of commodities or equipment, and whenever all things
264 stated in such received bids are equal with respect to price,
265 quality and service, the Mississippi Industries for the Blind
266 shall be given preference. A similar preference shall be given to
267 the Mississippi Industries for the Blind whenever purchases are
268 made without competitive bids.

269 **SECTION 20.** All expenditures of funds appropriated by this
270 act for the purposes of advertising through the media shall comply
271 with the provisions of this section. All notices, advertisements,

272 or announcements designed to accomplish distribution of vital
273 information paid for wholly or in part through funds appropriated
274 by this act and distributed through the media shall be placed
275 according to a formula based upon the following criteria:

276 (a) Outlets of the Mississippi Public Broadcasting
277 System shall receive twenty percent (20%) of all expenditures
278 allotted for any advertising campaign undertaken by the agency to
279 which funds are appropriated by this act. All distribution of
280 information undertaken by the Mississippi Broadcasting System
281 under these requirements shall conform to the accepted standards
282 of information distribution common to public media.

283 (b) Media outlets, other than outlets of the
284 Mississippi Public Broadcasting System, shall receive placement of
285 such notices through the following method of distribution and
286 based upon commonly accepted boundaries of distribution:

287 (i) Newspapers. Newspapers demonstrating
288 established market reach through verifiable and auditable
289 circulation numbers shall receive twenty-five percent (25%) of all
290 expenditures allotted for distribution of vital information, and
291 such expenditures to the individual newspapers shall be determined
292 and prorated based upon the verifiable and auditable share of
293 total circulation within the individual counties. This
294 requirement does not replace the requirements and systems
295 currently in place regarding legal notices in the newspapers.

296 (ii) Radio. Radio stations demonstrating
297 established market reach through verifiable and auditable market
298 share information as recorded through reputable and established
299 rating services shall receive twenty percent (20%) of all
300 expenditures allotted for such distribution of vital information,
301 and such expenditures to the individual stations shall be
302 determined and prorated based upon the verifiable and auditable
303 share of total market reach within the individual counties.

304 (iii) Television. Television stations and
305 television cable outlets demonstrating established market reach
306 through verifiable and auditable market share information as

307 recorded through reputable and established rating services shall
308 receive twenty percent (20%) of all expenditures allotted for such
309 distribution of vital information, and such expenditures to the
310 individual stations shall be determined and prorated based upon
311 the verifiable and auditable share of total market reach within
312 the individual demonstrated market reach area of the station or
313 cable outlet.

314 (iv) Magazines. Magazines demonstrating
315 established market reach through verifiable and auditable
316 circulation numbers shall receive ten percent (10%) of all
317 expenditures allotted for such distribution of vital information,
318 and such expenditures to the individual magazines shall be
319 determined and prorated based upon the verifiable and auditable
320 circulation numbers within the counties. If no magazine exists
321 which meets the criteria stated above, the portion of those funds
322 so allotted shall be distributed among the other media outlets
323 equally.

324 (v) Electronic media. Electronic media
325 demonstrating established market reach through verifiable and
326 auditable circulation numbers shall receive five percent (5%) of
327 all expenditures allotted for such distribution of vital
328 information, and such expenditures to the individual electronic
329 media outlets shall be determined and prorated based upon the
330 verifiable and auditable circulation numbers within the counties.
331 If no electronic media exists which meets the criteria stated
332 above, the portion of those funds so allotted shall be distributed
333 equally among the other media outlets.

334 Provisions of this section do not apply to the placement of
335 advertisements in national media outlets to recruit economic
336 development or to promote tourism in the state.

337 **SECTION 21.** The money herein appropriated shall be paid by
338 the State Treasurer out of any money in the State Treasury to the
339 credit of the proper fund or funds as set forth in this act, upon
340 warrants issued by the State Fiscal Officer; and the State Fiscal

341 Officer shall issue his warrants upon requisitions signed by the
342 proper person, officer or officers, in the manner provided by law.

343 **SECTION 22.** This act shall take effect and be in force from
344 and after July 1, 2006.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 YEAR 2007.

HR03\SB3023PH.J

Don Richardson
Clerk of the House of Representatives