

By: Senator(s) Clarke, Hopson, Carmichael,
Frazier, Jackson (15th), Michel, Jordan,
Jackson (11th)

To: Appropriations

SENATE BILL NO. 3005
(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 2020.

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

5 **SECTION 1.** The following sum of money, or so much thereof as
6 may be necessary, is hereby appropriated out of any money in the
7 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 Alcorn State University, Delta State
12 University, Jackson State University, Mississippi State
13 University, Mississippi University for Women, Mississippi Valley
14 State University, University of Mississippi, and University of
15 Southern Mississippi, for the fiscal year beginning July 1, 2019,
16 and ending June 30, 2020.....\$ 301,942,944.00.

17 **SECTION 2.** The following sum of money, or so much thereof as
18 may be necessary, is hereby appropriated out of the proceeds from



19 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 education and general operations of Alcorn State University, Delta
23 State University, Jackson State University, Mississippi State
24 University, Mississippi University for Women, Mississippi Valley
25 State University, University of Mississippi, and University of
26 Southern Mississippi, for the fiscal year beginning July 1, 2019,
27 and ending June 30, 2020.....\$ 940,631,780.00.

28 **SECTION 3.** The following sums, or so much thereof as may be
29 necessary, are hereby appropriated out of any money in the Ayers
30 Endowment Interest Fund, State Treasury Fund No. 3325800000, for
31 the purposes as set out by the courts in the Ayers Case for the
32 fiscal year beginning July 1, 2019, and ending June 30, 2020:

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)



or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall insure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 5. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Sixty Thousand Dollars



(\$360,000.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 7. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 8. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

- (a) For Mississippi State University as interest on agricultural land script fund and interest on sale of university land, the sum of.....\$ 14,387.00.
- (b) For the University of Mississippi as interest on original seminary fund, the sum of.....\$ 32,643.00.
- (c) For the University of Mississippi as interest on 1904 land grant fund, the sum of.....\$ 9,965.00.
- (d) For the University of Mississippi as interest on LaBauve Fund, the sum of.....\$ 1,420.00.
- (e) For Mississippi University for Women as interest on funds paid into the State Treasury as proceeds of sale of



93 land donated to the Industrial Institute
94 and College by the United States
95 government, the sum of.....\$ 9,389.00.
96 (f) For Alcorn State University as interest
97 on land script and land sales funds,
98 the sum of.....\$ 12,592.00.

99 **SECTION 9.** Of the funds appropriated in Section 2 of this
100 act, the following amount shall be derived from Education
101 Enhancement Funds deposited pursuant to Sections 27-65-75 and
102 27-67-31, Mississippi Code of 1972:

103 On-campus and off-campus support of Alcorn State University,
104 Delta State University, Jackson State University,
105 Mississippi State University, Mississippi University for
106 Women, Mississippi Valley State University, University
107 of Mississippi, and University of Southern Mississippi
108 for the sum of.....\$ 58,535,862.00.

109 **SECTION 10.** Of the funds provided herein to the Board of
110 Trustees of State Institutions of Higher Learning, Seven Million
111 Six Hundred Thirty-three Thousand Dollars (\$7,633,000.00) shall be
112 available to be expended by the Board of Trustees of State
113 Institutions of Higher Learning for the purpose of defraying the
114 costs associated with the implementation of the Ayers Settlement
115 as follows:

116 Ayers-related programs at Alcorn State University, Jackson
117 State University and Mississippi Valley State University



118\$ 6,733,000.00

119 Interest on the Ayers Endowment Fund.....\$ 900,000.00

120 **SECTION 11.** Of the funds appropriated under the provisions
121 of Section 2, the amount of One Hundred Eighty-one Thousand, One
122 Hundred Thirty-seven Dollars (\$181,137.00) shall be derived from
123 unexpended balances in the Ayers program funds provided for the
124 purpose in prior-year appropriations enacted by the Mississippi
125 Legislature. These funds are to be allocated as follows:

126 Jackson State University.....\$ 52,062.00

127 Mississippi Valley State University.....\$ 129,075.00

128 **SECTION 12.** 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 13.** 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 14.** It is the intention of the Legislature that the
142 budget requests of the institutions for Fiscal Year 2021 shall be



submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2020 budget request process.

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

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

SECTION 17. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 18. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.



SECTION 19. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
Instruction	
Number of Undergraduate Degrees Awarded	12,221.00
Number of Graduate Degrees Awarded	4,592.00
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health & Education	4,495.00
Number of Undergraduate Degrees Awarded per 100 Undergraduate FTE Enrollment	20.10
Number of Graduate Degrees Awarded per 100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915.00
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained in Emerging Technologies	25.00



A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2021.

SECTION 20. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities.....\$ 2,000,000.00.

SECTION 21. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch.....\$ 850,000.00.

SECTION 22. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.



SECTION 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center.....\$ 500,000.00.

SECTION 24. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center....\$ 320,000.00.

SECTION 25. It is the intent of the Legislature that at the end of Fiscal Year 2020 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 26. None of the state general funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 27. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation.....\$ 675,000.00.

SECTION 28. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-seven Thousand Five



239 Hundred Thirty-six Dollars (\$197,536.00) is provided for
240 geospatial site licenses.

241 **SECTION 29.** It is the intention of the Legislature that none
242 of the funds provided herein shall be used to pay certain
243 utilities for state-furnished housing for any employees. Such
244 utilities shall include electricity, natural gas, butane, propane,
245 cable and phone services. Where actual cost cannot be determined,
246 the agency shall be required to provide meters to be in compliance
247 with legislative intent. Such state-furnished housing shall
248 include single-family and multifamily residences but shall not
249 include any dormitory residences. Allowances for such utilities
250 shall be prohibited.

251 **SECTION 30.** Of the funds provided herein to the Board of
252 Trustees of State Institutions of Higher Learning, the following
253 amount shall be allocated to the Delta State University Delta
254 Center for Culture and Learning.....\$ 175,000.00.

255 The funds allocated in this section shall only be used for
256 the Delta Center for Culture and Learning.

257 **SECTION 31.** Of the funds provided herein to the Board of
258 Trustees of State Institutions of Higher Learning, the following
259 amount, or so much thereof as may be necessary, shall be allocated
260 to fund the Washington Center for Internships and Academic
261 Seminars Mississippi Initiative Scholarship Program.....
262\$ 75,000.00.



263 This program will provide opportunities for Mississippi's
264 university and college students to gain real-life experience
265 working in Washington, D.C. The funding will provide scholarships
266 at Alcorn State University, Delta State University, Jackson State
267 University, Mississippi State University, Mississippi University
268 for Women, Mississippi Valley State University, the University of
269 Mississippi, and the University of Southern Mississippi. A
270 written report shall be submitted listing the scholarship
271 recipients by university to the Chairmen and members of the Senate
272 and House Appropriations Committees.

273 **SECTION 32.** None of the funds appropriated and/or authorized
274 for expenditure under this act shall be used for research in which
275 a human embryo is killed or destroyed.

276 **SECTION 33.** Of the funds appropriated under the provisions
277 of Section 1 of this act, an amount not more than One Hundred
278 Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to
279 implement university system efficiencies, including, but not
280 limited to, academic, space, energy and any other system projects
281 or expenditures that would lead to improved efficiency. Such
282 funds may also be used to draw down other funds or as matching
283 funds.

284 **SECTION 34.** Of the funds appropriated under the provisions
285 of Section 1 of this act, Ninety Thousand Dollars (\$90,000.00)
286 shall be used to defray the expenses of the Children's Center for



Communication and Development at the University of Southern
Mississippi.

SECTION 35. Of the funds appropriated in Section 1 of this
act, the amount of Two Hundred Fifty Thousand Dollars
(\$250,000.00) is provided for defraying the expenses of the DuBard
School.

SECTION 36. Of the funds appropriated under the provisions
of Section 1 of this act, the following sum is for the Southwest
Mississippi Center Culture and Learning at Alcorn State University
for the fiscal year beginning July 1, 2019, and ending
June 30, 2020.....\$ 275,000.00.

SECTION 37. Of the funds appropriated in Section 1 of this
act, it is the intention of the Legislature that Nine Hundred
Fifty Thousand Dollars (\$950,000.00) is provided for the Engineer
Research and Development Center in Vicksburg, Mississippi, for
Research and Development opportunities in Science and Technology
initiatives.

SECTION 38. Of the funds appropriated in Section 1 of this
act, Two Hundred Twenty-five Thousand Dollars (\$225,000.00) is
provided for the Delta State University Delta Music Institute.

SECTION 39. It is the intention of the Legislature that
Mississippi Valley State University is authorized to provide water
or sewer service to any existing, privately-owned structures that
presently take water or sewer service from Mississippi Valley
State University. Furthermore, Mississippi Valley State



312 University is authorized to charge a flat or metered rate for the
313 service provided. Mississippi Valley State University shall not
314 provide any water or sewer service to any new, privately-owned
315 structures.

316 **SECTION 40.** Of the funds appropriated under the provisions
317 of Section 2, the amount of One Million Fifty-three Thousand Five
318 Hundred Seventy-five Dollars (\$1,053,575.00) shall be derived from
319 unexpended balances in the Ayers Settlement Interest Fund, No.
320 3325400000 provided for the purpose in prior-year appropriations
321 enacted by the Mississippi Legislature. These funds are to be
322 allocated as follows:

323	Jackson State University.....	\$	764,427.00
324	Mississippi Valley State University.....	\$	289,140.00
325	Alcorn State University.....	\$	8.00

326 **SECTION 41.** Of the funds appropriated under the provision
327 of Section 2, the following sum, or so much necessary, is hereby
328 appropriated out of any money in the State Treasury to the credit
329 of the Capital Expense Fund, and allocated in a manner as
330 determined by the Treasurer's Office, to defray the expenses of
331 the Institutions of Higher Learning (IHL), acting through the
332 Bureau of Building, Grounds and Real Property Management, for the
333 fiscal year beginning July 1, 2019, and ending
334 June 30, 2020.....\$ 14,500,000.00.

335 This appropriation is made for the purpose of providing the
336 funds necessary to authorize the expenditure of funds for



337 construction and/or repair and renovation projects for the
338 Institutions of Higher Learning as allocated herein:
339 Alcorn State University.....\$ 732,372.00
340 Delta State University.....\$ 607,055.00
341 Jackson State University.....\$ 1,175,025.00
342 Mississippi State University (including the Forest and
343 Wildlife Research Center and the Division of
344 Agriculture & Forestry, and Veterinary Medicine).....
345 \$ 3,819,858.00
346 Mississippi University for Women.....\$ 534,143.00
347 Mississippi Valley State University.....\$ 696,445.00
348 University of Mississippi (including University of
349 Mississippi Medical Center).....\$ 4,557,151.00
350 University of Southern Mississippi.....\$ 2,377,951.00
351 Total.....\$14,500,000.00

352 **SECTION 42.** Of the funds herein appropriated, Seven Hundred
353 Thirty-Seven Thousand Dollars (\$737,000.00) shall be provided to
354 the Charter School Authorizer Board. Of this amount, Two Hundred
355 Thirty-seven Thousand Dollars (\$237,000.00) shall be provided in
356 General Funds and Five Hundred Thousand Dollars (\$500,000.00)
357 shall be provided in Special Funds from the Charter School
358 Authorizer Board Fund - Fund No. 3001700000.

359 **SECTION 43.** Of the funds appropriated under the provisions of
360 Section 2, One Million Dollars (\$1,000,000.00), or so much
361 thereof, shall be derived out of any money in the State Treasury



362 to the credit of the Capital Expense Fund, as created in Section
363 27-103-303, Mississippi Code of 1972, and allocated in a manner as
364 determined by the Treasurer's Office. Of this amount, Three
365 Hundred Thirty-three Thousand Three Hundred Thirty-four Dollars
366 (\$333,334.00) shall be allocated to the Jackson State University
367 School of Public Health; Three Hundred Thirty-three Thousand Three
368 Hundred Thirty-three Dollars (\$333,333.00) shall be allocated to
369 Alcorn State University for STEM related programs and/or other
370 programs as determined by the university; and Three Hundred
371 Thirty-three Thousand Three Hundred Thirty-three Dollars
372 (\$333,333.00) shall be allocated to Mississippi Valley State
373 University for STEM related programs and/or other programs as
374 determined by the university.

375 **SECTION 44.** Of the funds appropriated in Section 1, an
376 amount not to exceed One Million Nine Hundred Fifty-One Thousand
377 Seven Hundred Sixty-Two Dollars (\$1,951,762.00) is provided for
378 pay raises not to exceed two percent (2%). This appropriation is
379 made for the purpose of providing pay raises for the Institutions
380 of Higher Learning as allocated herein:

381	Alcorn State University	\$ 338,826.00
382	Delta State University.....	\$ 1,389.00
383	Jackson State University (including the Mississippi Urban	
384	Research Center).....	\$ 304,489.00



Mississippi State University (including the Forest and
Wildlife Research Center and Cooperative Extension
Service)..... \$ 21,172.00
Mississippi University for Women.....\$ 140,634.00
Mississippi Valley State University.....\$ 24,970.00
University of Mississippi\$ 4,057.00
University of Southern Mississippi (including the Mississippi
Polymer Institute, the Stennis Center for Higher Learning and
Gulf Coast Research Laboratory).....\$1,116,225.00

Of the amounts listed within this section, the Board of
Trustees of State Institutions of Higher Learning shall have the
authority to transfer to and increase corresponding spending
authority for these budget units established and controlled by the
Board.

SECTION 45. It is the intention of the Legislature that the
funds herein appropriated shall be expended in compliance with
Section 27-104-25, Mississippi Code of 1972, that no state agency
shall incur obligations or indebtedness in excess of their
appropriation and that the responsible officers, either personally
or upon their official bonds, shall be held responsible for
actions contrary to this provision.

SECTION 46. The money herein appropriated shall be paid by
the State Treasurer out of any money in the State Treasury to the
credit of the proper fund or funds as set forth in this act, upon
warrants issued by the State Fiscal Officer; and the State Fiscal



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

412 **SECTION 47.** This act shall take effect and be in force from
413 and after July 1, 2019.

