

## House Amendments to Senate Bill No. 3005

**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 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.....\$ 299,991,182.00.

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.....\$ 923,797,068.00.

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)  
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 of this  
53 act, the amount of One Hundred Fifty Thousand Dollars  
54 (\$150,000.00) 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 two-week tuition-free program.

66           **SECTION 6.** Of the funds appropriated in Section 1 of this  
67 act, the amount of Three Hundred Sixty Thousand Dollars  
68 (\$360,000.00) shall be used for the promotion and expenses of the  
69 Teacher Corps.

70           **SECTION 7.** It is the intent of the Legislature that no  
71 general funds authorized to be expended herein shall be used to  
72 replace federal funds and/or other special funds which are being

73 used for salaries authorized under the provisions of this act and  
74 which are withdrawn and no longer available.

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

- 77 (a) For Mississippi State University as interest  
78 on agricultural land script fund and  
79 interest on sale of university land, the  
80 sum of.....\$ 14,387.00.
- 81 (b) For the University of Mississippi as  
82 interest on original seminary fund, the  
83 sum of.....\$ 32,643.00.
- 84 (c) For the University of Mississippi as  
85 interest on 1904 land grant fund, the  
86 sum of.....\$ 9,965.00.
- 87 (d) For the University of Mississippi as  
88 interest on LaBauve Fund, the sum  
89 of.....\$ 1,420.00.
- 90 (e) For Mississippi University for Women  
91 as interest on funds paid into the  
92 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.** It is the intention of the Legislature that the  
121 Board of Trustees of State Institutions of Higher Learning shall  
122 first use special funds to the greatest extent possible to defray  
123 the costs of providing remediation at the state-supported  
124 institutions of higher learning.

125           **SECTION 12.** None of the funds appropriated by this act shall  
126 be expended for any purpose that is not actually required or  
127 necessary for performing any of the powers or duties of the Board  
128 of Trustees of State Institutions of Higher Learning, or any of  
129 the powers or duties of any institution under the jurisdiction of  
130 the board of trustees, that are authorized by the Mississippi  
131 Constitution of 1890, state or federal law, or rules or  
132 regulations that implement state or federal law.

133           **SECTION 13.** The Board of Trustees of State Institutions of  
134 Higher Learning shall submit to the Committee on Appropriations of  
135 both houses of the Mississippi Legislature by January 1, 2020, a  
136 consolidated report for all the several institutions under its  
137 jurisdiction, on forms and in a manner to be prescribed by the  
138 Legislative Budget Committee, which reflects the anticipated  
139 current restricted fund revenues for the 2020 fiscal year, and the  
140 budgeted use of such current restricted funds by major object  
141 category. For purposes of this section, the term "current  
142 restricted funds" shall be defined as those public funds available  
143 for financing university operations which are limited by the  
144 donor, or by an agency external to the Board of Trustees of State  
145 Institutions of Higher Learning, to specific purposes, programs,  
146 departments or schools, but shall not include endowment funds or  
147 private gifts exempted under the provisions of Section 27-103-5,  
148 Mississippi Code of 1972.

149           **SECTION 14.** It is the intention of the Legislature that the  
150 budget requests of the institutions for Fiscal Year 2021 shall be

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

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

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

167       **SECTION 17.** The Board of Trustees of State Institutions of  
168 Higher Learning shall report yearly to the Legislature the  
169 institution compliance with Section 97-11-51, Mississippi Code of  
170 1972, which prohibits deficit spending.

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

175       **SECTION 19.** In compliance with the "Mississippi Performance  
176 Budget and Strategic Planning Act of 1994," it is the intent of

177 the Legislature that the funds provided herein shall be utilized  
 178 in the most efficient and effective manner possible to achieve the  
 179 intended mission of this agency. Based on the funding authorized,  
 180 this agency shall make every effort to attain the targeted  
 181 performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
184 Instruction	
185       Number of Undergraduate Degrees Awarded	12,221
186       Number of Graduate Degrees Awarded	4,592
187       Number of Degrees (Graduate &	
188               Undergraduate) Awarded in the Fields of	
189               STEM, Health & Education	4,495
190       Number of Undergraduate Degrees Awarded	
191               per 100 Undergraduate FTE Enrollment	20.10
192       Number of Graduate Degrees Awarded per	
193               100 Graduate FTE Enrollment	44.20
194       Number of Students Completing 30 Hours	13,915
195       Number of Students Completing 60 Hours	10,132

196 Research

197       Number of Patents Obtained in Emerging	
198               Technologies	25

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



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

210           **SECTION 21.** Of the funds provided herein to the Board of  
211 Trustees of State Institutions of Higher Learning, the following  
212 amount, or so much thereof as may be necessary, shall be allocated  
213 to Mississippi State University - Meridian Branch.....  
214 .....\$ 850,000.00.

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

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

227           **SECTION 24.** Of the funds provided herein to the Board of  
228 Trustees of State Institutions of Higher Learning, the following

229 amount, or so much thereof as may be necessary, shall be allocated  
230 to the Delta State University E-Learning Center.....\$ 320,000.00.

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

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

240 **SECTION 27.** Of the funds provided herein to the Board of  
241 Trustees of State Institutions of Higher Learning, the following  
242 sum, or so much thereof as may be necessary, shall be allocated to  
243 Delta State University Department of Commercial Aviation.....  
244 .....\$ 675,000.00.

245 **SECTION 28.** Of the funds appropriated in Section 1 and  
246 Section 2 of this act, One Hundred Ninety-seven Thousand Five  
247 Hundred Thirty-six Dollars (\$197,536.00) is provided for  
248 geospatial site licenses.

249 **SECTION 29.** It is the intention of the Legislature that none  
250 of the funds provided herein shall be used to pay certain  
251 utilities for state-furnished housing for any employees. Such  
252 utilities shall include electricity, natural gas, butane, propane,  
253 cable and phone services. Where actual cost cannot be determined,  
254 the agency shall be required to provide meters to be in compliance

255 with legislative intent. Such state-furnished housing shall  
256 include single-family and multifamily residences but shall not  
257 include any dormitory residences. Allowances for such utilities  
258 shall be prohibited.

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

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

265       **SECTION 31.** Of the funds provided herein to the Board of  
266 Trustees of State Institutions of Higher Learning, the following  
267 amount, or so much thereof as may be necessary, shall be allocated  
268 to fund the Washington Center for Internships and Academic  
269 Seminars Mississippi Initiative Scholarship Program.....  
270 .....\$       75,000.00.

271       This program will provide opportunities for Mississippi's  
272 university and college students to gain real-life experience  
273 working in Washington, D.C. The funding will provide scholarships  
274 at Alcorn State University, Delta State University, Jackson State  
275 University, Mississippi State University, Mississippi University  
276 for Women, Mississippi Valley State University, the University of  
277 Mississippi, and the University of Southern Mississippi. A  
278 written report shall be submitted listing the scholarship  
279 recipients by university to the Chairmen and members of the Senate  
280 and House Appropriations Committees.

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

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

292           **SECTION 34.** Of the funds appropriated under the provisions  
293 of Section 1 of this act, Ninety Thousand Dollars (\$90,000.00)  
294 shall be used to defray the expenses of the Children's Center for  
295 Communication and Development at the University of Southern  
296 Mississippi.

297           **SECTION 35.** Of the funds appropriated in Section 1 of this  
298 act, the amount of Two Hundred Fifty Thousand Dollars  
299 (\$250,000.00) is provided for defraying the expenses of the DuBard  
300 School.

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

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

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

315           **SECTION 39.** It is the intention of the Legislature that  
316 Mississippi Valley State University is authorized to provide water  
317 or sewer service to any existing, privately-owned structures that  
318 presently take water or sewer service from Mississippi Valley  
319 State University. Furthermore, Mississippi Valley State  
320 University is authorized to charge a flat or metered rate for the  
321 service provided. Mississippi Valley State University shall not  
322 provide any water or sewer service to any new, privately-owned  
323 structures.

324           **SECTION 40.** Of the funds appropriated under the provisions  
325 of Section 2, the amount of One Million Fifty-three Thousand Five  
326 Hundred Seventy-five Dollars (\$1,053,575.00) shall be derived from  
327 unexpended balances in Ayers program funds provided for the  
328 purpose in prior-year appropriations enacted by the Mississippi  
329 Legislature. These funds are to be allocated as follows:

330	Jackson State University.....	\$	764,427.00
331	Mississippi Valley State University.....	\$	289,140.00

332 Alcorn State University.....\$ 8.00

333 **SECTION 41.** Of the funds herein appropriated, Two Hundred  
334 Thirty-seven Thousand Dollars (\$237,000.00) in General Funds and  
335 Four Hundred Thousand Dollars (\$400,000.00) in Special Funds are  
336 provided to the Charter School Authorizer Board.

337 **SECTION 42.** It is the intention of the Legislature that the  
338 funds herein appropriated shall be expended in compliance with  
339 Section 27-104-25, Mississippi Code of 1972, that no state agency  
340 shall incur obligations or indebtedness in excess of their  
341 appropriation and that the responsible officers, either personally  
342 or upon their official bonds, shall be held responsible for  
343 actions contrary to this provision.

344 **SECTION 43.** 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 44.** This act shall take effect and be in force from  
351 and after July 1, 2019, and shall stand repealed June 30, 2019.

HR13\SB3005A.J

Andrew Ketchings  
Clerk of the House of Representatives