

House Amendments to Senate Bill No. 2904

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, 2021,
16 and ending June 30, 2022.....\$ 288,005,192.00.

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, 2021,
27 and ending June 30, 2022.....\$ 941,324,738.00.

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, 2021, and ending June 30, 2022:

| | | |
|----|--|------------|
| 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.** Of the funds appropriated under the provisions of
37 Section 2, the amount of One Million Four Hundred Thirty-nine
38 Thousand Five Hundred Eighty-nine Dollars (\$1,439,589.00) shall be
39 derived from unexpended balances in the Ayers program funds
40 provided for the purpose in prior-year appropriations enacted by
41 the Mississippi Legislature. These funds are to be allocated as
42 follows:

| | | |
|----|--|--------------|
| 43 | Jackson State University.....\$ | 1,019,621.00 |
| 44 | Mississippi Valley State University.....\$ | 419,968.00 |

45 **SECTION 5.** It is the intention of the Legislature that the
46 Board of Trustees of State Institutions of Higher Learning shall
47 allocate funds to the off-campus centers based on a minimum rate

48 of sixty-five percent (65%) of the on-campus cost of a full-time
49 equivalent student. The on-campus distribution is to be
50 determined without regard to the costs incurred by any one or more
51 of them in the operation of off-campus degree-completing centers'
52 classes. Off-campus centers which are operated jointly by two (2)
53 or more institutions, the amount allocated to such centers shall
54 be prorated among the institutions jointly operating such centers
55 based on the full-time equivalent enrollment of such centers.

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

61 **SECTION 6.** Of the funds appropriated in Section 1 of this
62 act, the amount of One Hundred Forty-five Thousand Dollars
63 (\$145,000.00) shall be used for the promotion and expenses of the
64 Mississippi Governor's School for the Gifted and Talented.

65 Provided, however, that the Board of Trustees of State
66 Institutions of Higher Learning shall develop the governing policy
67 for faculty, course content and facilities selection on a
68 competitive basis from all Mississippi senior colleges and
69 universities. The Mississippi Governor's School for the Gifted
70 and Talented shall accept not less than one (1) high school
71 student nominee from each accredited high school in Mississippi.
72 The nominees, selected under criteria developed and adopted by the

73 Board of Trustees of State Institutions of Higher Learning, shall
74 be provided a two-week tuition-free program.

75 **SECTION 7.** Of the funds appropriated in Section 1 of this
76 act, the amount of Three Hundred Forty-nine Thousand Two Hundred
77 Dollars (\$349,200.00) shall be used for the promotion and expenses
78 of the Teacher Corps.

79 **SECTION 8.** It is the intent of the Legislature that no
80 general funds authorized to be expended herein shall be used to
81 replace federal funds and/or other special funds which are being
82 used for salaries authorized under the provisions of this act and
83 which are withdrawn and no longer available.

84 **SECTION 9.** Of the funds appropriated in Section 1 of this
85 act, the following amounts shall be used as set forth:

86 (a) For Mississippi State University as interest
87 on agricultural land script fund and
88 interest on sale of university land, the
89 sum of.....\$ 14,387.00.

90 (b) For the University of Mississippi as
91 interest on original seminary fund, the
92 sum of.....\$ 32,643.00.

93 (c) For the University of Mississippi as
94 interest on 1904 land grant fund, the
95 sum of.....\$ 9,965.00.

96 (d) For the University of Mississippi as
97 interest on LaBauve Fund, the sum
98 of.....\$ 1,420.00.

- 99 (e) For Mississippi University for Women
100 as interest on funds paid into the
101 State Treasury as proceeds of sale of
102 land donated to the Industrial Institute
103 and College by the United States
104 government, the sum of.....\$ 9,389.00.
- 105 (f) For Alcorn State University as interest
106 on land script and land sales funds,
107 the sum of.....\$ 12,592.00.

108 **SECTION 10.** Of the funds appropriated in Section 2 of this
109 act, the following amount shall be derived from Education
110 Enhancement Funds deposited pursuant to Sections 27-65-75 and
111 27-67-31, Mississippi Code of 1972:

112 On-campus and off-campus support of Alcorn State University,
113 Delta State University, Jackson State University,
114 Mississippi State University, Mississippi University for
115 Women, Mississippi Valley State University, University
116 of Mississippi, and University of Southern Mississippi
117 for the sum of.....\$ 56,855,104.00.

118 **SECTION 11.** Of the funds provided herein to the Board of
119 Trustees of State Institutions of Higher Learning, Seven Million
120 Six Hundred Thirty-three Thousand Dollars (\$7,633,000.00) shall be
121 available to be expended by the Board of Trustees of State
122 Institutions of Higher Learning for the purpose of defraying the
123 costs associated with the implementation of the Ayers Settlement
124 as follows:

125 Ayers-related programs at Alcorn State University, Jackson
126 State University and Mississippi Valley State University
127\$ 6,733,000.00
128 Interest on the Ayers Endowment Fund.....\$ 900,000.00

129 **SECTION 12.** It is the intention of the Legislature that the
130 Board of Trustees of State Institutions of Higher Learning shall
131 first use special funds to the greatest extent possible to defray
132 the costs of providing remediation at the state-supported
133 institutions of higher learning.

134 **SECTION 13.** None of the funds appropriated by this act shall
135 be expended for any purpose that is not actually required or
136 necessary for performing any of the powers or duties of the Board
137 of Trustees of State Institutions of Higher Learning, or any of
138 the powers or duties of any institution under the jurisdiction of
139 the board of trustees, that are authorized by the Mississippi
140 Constitution of 1890, state or federal law, or rules or
141 regulations that implement state or federal law.

142 **SECTION 14.** It is the intention of the Legislature that the
143 budget requests of the institutions for Fiscal Year 2023 shall be
144 submitted to the Joint Legislative Budget Committee in a format
145 and level of detail comparable to the format and level of detail
146 provided during the Fiscal Year 2022 budget request process.

147 **SECTION 15.** It is the intention of the Legislature that the
148 Board of Trustees of State Institutions of Higher Learning
149 continue to review, and eliminate when possible, duplicating

150 programs and degrees in the existing institutions of higher
151 learning in this state.

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

160 **SECTION 17.** The Board of Trustees of State Institutions of
161 Higher Learning shall report yearly to the Legislature the
162 institution compliance with Section 97-11-51, Mississippi Code of
163 1972, which prohibits deficit spending.

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

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

175 FY2022

| | | |
|-----|---|---------------|
| 176 | <u>Performance Measures</u> | <u>Target</u> |
| 177 | Instruction | |
| 178 | Number of Undergraduate Degrees Awarded | 12,221 |
| 179 | Number of Graduate Degrees Awarded | 4,592 |
| 180 | Number of Degrees (Graduate & | |
| 181 | Undergraduate) Awarded in the Fields of | |
| 182 | STEM, Health & Education | 5,083 |
| 183 | Number of Undergraduate Degrees Awarded | |
| 184 | per 100 Undergraduate FTE Enrollment | 20.10 |
| 185 | Number of Graduate Degrees Awarded per | |
| 186 | 100 Graduate FTE Enrollment | 44.20 |
| 187 | Number of Students Completing 30 Hours | 13,915 |
| 188 | Number of Students Completing 60 Hours | 10,132 |
| 189 | Research | |
| 190 | Number of Patents Obtained in Emerging | |
| 191 | Technologies | 25 |

192 A reporting of the degree to which the performance targets
193 set above have been or are being achieved shall be provided in the
194 agency's budget request submitted to the Joint Legislative Budget
195 Committee for Fiscal Year 2023.

196 **SECTION 20.** Of the funds provided herein to the Board of
197 Trustees of State Institutions of Higher Learning, the following
198 amount, or so much thereof as may be necessary, shall be allocated
199 equally to Jackson State University, Mississippi State University,
200 the University of Mississippi, and the University of Southern

201 Mississippi for economic development, reorganization, and
202 relocation of efforts at those universities.....\$ 2,000,000.00.

203 **SECTION 21.** 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 to Mississippi State University - Meridian Branch.....
207\$ 824,500.00.

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

216 **SECTION 23.** Of the funds provided herein to the Board of
217 Trustees of State Institutions of Higher Learning, the following
218 amount, or so much thereof as may be necessary, shall be allocated
219 to Jackson State University E-Learning Center.....\$ 485,000.00.

220 **SECTION 24.** Of the funds provided herein to the Board of
221 Trustees of State Institutions of Higher Learning, the following
222 amount, or so much thereof as may be necessary, shall be allocated
223 to the Delta State University E-Learning Center....\$ 310,400.00.

224 **SECTION 25.** It is the intent of the Legislature that at the
225 end of Fiscal Year 2022 any unexpended balances in Ayers programs
226 funds established pursuant to this act shall not lapse into the

227 State General Fund, but shall carry over and be available for
228 expenditure in the succeeding fiscal year, and subject to
229 Legislative appropriation.

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

233 **SECTION 27.** Of the funds provided herein to the Board of
234 Trustees of State Institutions of Higher Learning, the following
235 sum, or so much thereof as may be necessary, shall be allocated to
236 Delta State University Department of Commercial Aviation.....
237\$ 654,750.00.

238 **SECTION 28.** Of the funds appropriated in Section 1 and
239 Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred
240 Ten Dollars (\$191,610.00) is provided for geospatial site
241 licenses.

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

252 **SECTION 30.** Of the funds provided herein to the Board of
253 Trustees of State Institutions of Higher Learning, the following
254 amount shall be allocated to the Delta State University Delta
255 Center for Culture and Learning.....\$ 169,750.00.

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

258 **SECTION 31.** Of the funds provided herein to the Board of
259 Trustees of State Institutions of Higher Learning, the following
260 amount, or so much thereof as may be necessary, shall be allocated
261 to fund the Washington Center for Internships and Academic
262 Seminars Mississippi Initiative Scholarship Program.....
263\$ 72,750.00.

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

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

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

285 **SECTION 34.** Of the funds appropriated under the provisions
286 of Section 1 of this act, Eighty-seven Thousand Three Hundred
287 Dollars (\$87,300.00) shall be used to defray the expenses of the
288 Children's Center for Communication and Development at the
289 University of Southern Mississippi.

290 **SECTION 35.** Of the funds appropriated in Section 1 of this
291 act, the amount of Two Hundred Forty-two Thousand Five Hundred
292 Dollars (\$242,500.00) is provided for defraying the expenses of
293 the DuBard School.

294 **SECTION 36.** Of the funds appropriated under the provisions
295 of Section 1 of this act, the following sum is for the Southwest
296 Mississippi Center Culture and Learning at Alcorn State University
297 for the fiscal year beginning July 1, 2021, and ending
298 June 30, 2022.....\$ 266,750.00.

299 **SECTION 37.** Of the funds appropriated in Section 1 of this
300 act, it is the intention of the Legislature that Nine Hundred
301 Twenty-one Thousand Five Hundred Dollars (\$921,500.00) is provided
302 for the Engineer Research and Development Center in Vicksburg,

303 Mississippi, for Research and Development opportunities in Science
304 and Technology initiatives.

305 **SECTION 38.** Of the funds appropriated in Section 1 of this
306 act, Two Hundred Eighteen Thousand Two Hundred Fifty Dollars
307 (\$218,250.00) is provided for the Delta State University Delta
308 Music Institute.

309 **SECTION 39.** It is the intention of the Legislature that
310 Mississippi Valley State University is authorized to provide water
311 or sewer service to any existing, privately-owned structures that
312 presently take water or sewer service from Mississippi Valley
313 State University. Furthermore, Mississippi Valley State
314 University is authorized to charge a flat or metered rate for the
315 service provided. Mississippi Valley State University shall not
316 provide any water or sewer service to any new, privately-owned
317 structures.

318 **SECTION 40.** Of the funds herein appropriated, Seven Hundred
319 Twenty-nine Thousand Eight Hundred Ninety Dollars (\$729,890.00)
320 shall be provided to the Charter School Authorizer Board. Of this
321 amount, Two Hundred Twenty-nine Thousand Eight Hundred Ninety
322 Dollars (\$229,890.00) shall be provided in General Funds and Five
323 Hundred Thousand Dollars (\$500,000.00) shall be provided in
324 Special Funds from the Charter School Authorizer Board Fund - Fund
325 No. 3001700000.

326 **SECTION 41.** It is the intention of the Legislature that the
327 funds herein appropriated shall be expended in compliance with
328 Section 27-104-25, Mississippi Code of 1972, that no state agency

329 shall incur obligations or indebtedness in excess of their
330 appropriation and that the responsible officers, either personally
331 or upon their official bonds, shall be held responsible for
332 actions contrary to this provision.

333 **SECTION 42.** The money herein appropriated shall be paid by
334 the State Treasurer out of any money in the State Treasury to the
335 credit of the proper fund or funds as set forth in this act, upon
336 warrants issued by the State Fiscal Officer; and the State Fiscal
337 Officer shall issue his warrants upon requisitions signed by the
338 proper person, officer or officers, in the manner provided by law.

339 **SECTION 43.** This act shall take effect and be in force from
340 and after July 1, 2021, and shall stand repealed from and after
341 June 29, 2021.

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

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 2022.

HR13\SB2904A.J

Andrew Ketchings
Clerk of the House of Representatives