

House Amendments to Senate Bill No. 3002

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, 2022,
16 and ending June 30, 2023.....\$ 301,607,711.00.

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, 2022,
27 and ending June 30, 2023.....\$ 947,724,271.00.

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, 2022, and ending June 30, 2023:

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 Six Hundred Fifteen Thousand
38 Nine Hundred Three Dollars (\$1,615,903.00) shall be derived from
39 unexpended balances in the Ayers program funds provided for the
40 purpose in prior-year appropriations enacted by The Mississippi
41 Legislature. These funds are to be allocated as follows:

42	Jackson State University.....\$	1,165,697.00
43	Alcorn State University.....\$	3,275.00
44	Mississippi Valley State University.....\$	446,931.00

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 ensure 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.....\$ 60,373,070.00.

118 **SECTION 11.** It is the intention of the Legislature that the
 119 Board of Trustees of State Institutions of Higher Learning shall
 120 first use special funds to the greatest extent possible to defray
 121 the costs of providing remediation at the state-supported
 122 institutions of higher learning.

123 **SECTION 12.** None of the funds appropriated by this act shall
 124 be expended for any purpose that is not actually required or

125 necessary for performing any of the powers or duties of the Board
126 of Trustees of State Institutions of Higher Learning, or any of
127 the powers or duties of any institution under the jurisdiction of
128 the board of trustees, that are authorized by the Mississippi
129 Constitution of 1890, state or federal law, or rules or
130 regulations that implement state or federal law.

131 **SECTION 13.** It is the intention of the Legislature that the
132 budget requests of the institutions for Fiscal Year 2024 shall be
133 submitted to the Joint Legislative Budget Committee in a format
134 and level of detail comparable to the format and level of detail
135 provided during the Fiscal Year 2023 budget request process.

136 **SECTION 14.** It is the intention of the Legislature that the
137 Board of Trustees of State Institutions of Higher Learning
138 continue to review, and eliminate when possible, duplicating
139 programs and degrees in the existing institutions of higher
140 learning in this state.

141 **SECTION 15.** No state appropriations or student tuition and
142 fee receipts, except those specifically charged for the provision
143 of the services, shall be used to support auxiliary enterprises,
144 with the exception of intercollegiate athletics at a level
145 designated by the board of trustees. It is the intent of the
146 Legislature that auxiliary enterprises shall be self-supporting
147 and that deficits not be taken from funds intended for instruction
148 and academic programs.

149 **SECTION 16.** The Board of Trustees of State Institutions of
150 Higher Learning shall report yearly to the Legislature the

151 institution compliance with Section 97-11-51, Mississippi Code of
152 1972, which prohibits deficit spending.

153 **SECTION 17.** Any funds appropriated pursuant to this act and
154 paid as a fee to or deposited in a financial institution shall be
155 in compliance with Section 109 of the Constitution of the State of
156 Mississippi and Section 25-4-105, Mississippi Code of 1972.

157 **SECTION 18.** In compliance with the "Mississippi Performance
158 Budget and Strategic Planning Act of 1994," it is the intent of
159 the Legislature that the funds provided herein shall be utilized
160 in the most efficient and effective manner possible to achieve the
161 intended mission of this agency. Based on the funding authorized,
162 this agency shall make every effort to attain the targeted
163 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
166 Instruction	
167 Number of Undergraduate Degrees Awarded	12,221
168 Number of Graduate Degrees Awarded	4,592
169 Number of Degrees (Graduate &	
170 Undergraduate) Awarded in the Fields of	
171 STEM, Health & Education	5,337
172 Number of Undergraduate Degrees Awarded	
173 per 100 Undergraduate Full-Time	
174 Equivalent (FTE) Enrollment	20.10
175 Number of Graduate Degrees Awarded per	
176 100 Graduate FTE Enrollment	44.20

177	Number of Students Completing 30 Hours	13,915
178	Number of Students Completing 60 Hours	10,132
179	Research	
180	Number of Patents Obtained in Emerging	
181	Technologies	25

182 A reporting of the degree to which the performance targets
183 set above have been or are being achieved shall be provided in the
184 agency's budget request submitted to the Joint Legislative Budget
185 Committee for Fiscal Year 2024.

186 **SECTION 19.** Of the funds provided herein to the Board of
187 Trustees of State Institutions of Higher Learning, the following
188 amount, or so much thereof as may be necessary, shall be allocated
189 equally to Jackson State University, Mississippi State University,
190 the University of Mississippi, and the University of Southern
191 Mississippi for economic development, reorganization, and
192 relocation of efforts at those universities.....\$ 2,000,000.00.

193 **SECTION 20.** Of the funds provided herein to the Board of
194 Trustees of State Institutions of Higher Learning, the following
195 amount, or so much thereof as may be necessary, shall be allocated
196 to Mississippi State University - Meridian
197 Branch.....\$ 900,000.00.

198 **SECTION 21.** It is the intention of the Legislature that
199 whenever two (2) or more bids are received by this agency for the
200 purchase of commodities or equipment, and whenever all things
201 stated in such received bids are equal with respect to price,
202 quality and service, the Mississippi Industries for the Blind

203 shall be given preference. A similar preference shall be given to
204 the Mississippi Industries for the Blind whenever purchases are
205 made without competitive bids.

206 **SECTION 22.** Of the funds provided herein to the Board of
207 Trustees of State Institutions of Higher Learning, the following
208 amount, or so much thereof as may be necessary, shall be allocated
209 to Jackson State University E-Learning Center....\$ 485,000.00.

210 **SECTION 23.** 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 the Delta State University
214 E-Learning Center.....\$ 155,000.00.

215 **SECTION 24.** It is the intent of the Legislature that at the
216 end of Fiscal Year 2023 any unexpended balances in Ayers programs
217 funds established pursuant to this act shall not lapse into the
218 State General Fund, but shall carry over and be available for
219 expenditure in the succeeding fiscal year, and subject to
220 Legislative appropriation.

221 **SECTION 25.** None of the State General Funds appropriated by
222 this act shall be expended for the purpose of travel outside the
223 United States.

224 **SECTION 26.** Of the funds provided herein to the Board of
225 Trustees of State Institutions of Higher Learning, the following
226 sum, or so much thereof as may be necessary, shall be allocated to
227 Delta State University Department of Commercial Aviation.....
228\$ 800,000.00.

229 **SECTION 27.** Of the funds appropriated in Section 1 and
230 Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred
231 Ten Dollars (\$191,610.00) is provided for geospatial site
232 licenses.

233 **SECTION 28.** It is the intention of the Legislature that none
234 of the funds provided herein shall be used to pay certain
235 utilities for state-furnished housing for any employees. Such
236 utilities shall include electricity, natural gas, butane, propane,
237 cable and phone services. Where actual cost cannot be determined,
238 the agency shall be required to provide meters to be in compliance
239 with legislative intent. Such state-furnished housing shall
240 include single-family and multifamily residences but shall not
241 include any dormitory residences. Allowances for such utilities
242 shall be prohibited.

243 **SECTION 29.** Of the funds provided herein to the Board of
244 Trustees of State Institutions of Higher Learning, the following
245 amount shall be allocated to the Delta State University Delta
246 Center for Culture and Learning.....\$ 100,000.00.

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

249 **SECTION 30.** Of the funds provided herein to the Board of
250 Trustees of State Institutions of Higher Learning, the following
251 amount, or so much thereof as may be necessary, shall be allocated
252 to fund the Washington Center for Internships and Academic
253 Seminars Mississippi Initiative Scholarship Program.....
254\$ 75,000.00.

255 This program will provide opportunities for Mississippi's
256 university and college students to gain real-life experience
257 working in Washington, D.C. The funding will provide scholarships
258 at Alcorn State University, Delta State University, Jackson State
259 University, Mississippi State University, Mississippi University
260 for Women, Mississippi Valley State University, the University of
261 Mississippi, and the University of Southern Mississippi. A
262 written report shall be submitted listing the scholarship
263 recipients by university to the Chairmen and members of the Senate
264 and House Appropriations Committees.

265 **SECTION 31.** None of the funds appropriated and/or authorized
266 for expenditure under this act shall be used for research in which
267 a human embryo is killed or destroyed.

268 **SECTION 32.** Of the funds appropriated under the provisions
269 of Section 1 of this act, an amount not more than One Hundred
270 Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to
271 implement university system efficiencies, including, but not
272 limited to, academic, space, energy and any other system projects
273 or expenditures that would lead to improved efficiency. Such
274 funds may also be used to draw down other funds or as matching
275 funds.

276 **SECTION 33.** Of the funds appropriated under the provisions
277 of Section 1 of this act, Eighty-seven Thousand Three Hundred
278 Dollars (\$87,300.00) shall be used to defray the expenses of the
279 Children's Center for Communication and Development at the
280 University of Southern Mississippi.

281 **SECTION 34.** Of the funds appropriated in Section 1 of this
282 act, the amount of Two Hundred Forty-two Thousand Five Hundred
283 Dollars (\$242,500.00) is provided for defraying the expenses of
284 the DuBard School.

285 **SECTION 35.** Of the funds appropriated under the provisions
286 of Section 1 of this act, Two Hundred Sixty-six Thousand Seven
287 Hundred Fifty Dollars (\$266,750.00) is provided for the Southwest
288 Mississippi Center for Culture and Learning at Alcorn State
289 University.

290 **SECTION 36.** Of the funds appropriated in Section 1 of this
291 act, it is the intention of the Legislature that Eight Hundred
292 Fifty Thousand Dollars (\$850,000.00) is provided for the Engineer
293 Research and Development Center in Vicksburg, Mississippi, for
294 Research and Development opportunities in Science and Technology
295 initiatives.

296 **SECTION 37.** Of the funds appropriated in Section 1 of this
297 act, Three Hundred Thousand Dollars (\$300,000.00) is provided for
298 the Delta State University Delta Music Institute.

299 **SECTION 38.** It is the intention of the Legislature that
300 Mississippi Valley State University is authorized to provide water
301 or sewer service to any existing, privately-owned structures that
302 presently take water or sewer service from Mississippi Valley
303 State University. Furthermore, Mississippi Valley State
304 University is authorized to charge a flat or metered rate for the
305 service provided. Mississippi Valley State University shall not

306 provide any water or sewer service to any new, privately-owned
307 structures.

308 **SECTION 39.** Of the funds herein appropriated, Seven Hundred
309 Twenty-nine Thousand Eight Hundred Ninety Dollars (\$729,890.00)
310 shall be provided to the Charter School Authorizer Board. Of this
311 amount, Two Hundred Twenty-nine Thousand Eight Hundred Ninety
312 Dollars (\$229,890.00) shall be provided in General Funds and Five
313 Hundred Thousand Dollars (\$500,000.00) shall be provided in
314 Special Funds from the Charter School Authorizer Board Fund - Fund
315 No. 3001700000.

316 **SECTION 40.** The following sum, or so much thereof as may be
317 necessary, is reappropriated out of any money in the Capital
318 Expense Fund not otherwise appropriated, for the Institutions of
319 Higher Learning for the purpose of reauthorizing the expenditure
320 of Capital Expense Funds to defray the expenses of the
321 Institutions of Higher Learning (IHL), acting through the Bureau
322 of Building, Grounds and Real Property Management as authorized in
323 SB 2904, 2021 Regular Session, for the fiscal year beginning July
324 1, 2022, and ending June 30, 2023.....\$ 1,911,895.00.

325 This appropriation is made for the purpose of reauthorizing
326 the expenditure of funds for construction and/or repair and
327 renovation projects for the Institutions of Higher Learning as
328 allocated herein:

329	Delta State University.....	\$	306,335.00
330	Mississippi Valley State University.....	\$	688,116.00
331	University of Southern Mississippi.....	\$	917,444.00

332 Notwithstanding the amount reappropriated under the
333 provisions of this section, in no event shall the amount expended
334 exceed the unexpended balance of June 30, 2022.

335 **SECTION 41.** It is the intention of the Legislature that the
336 funds herein appropriated shall be expended in compliance with
337 Section 27-104-25, Mississippi Code of 1972, that no state agency
338 shall incur obligations or indebtedness in excess of their
339 appropriation and that the responsible officers, either personally
340 or upon their official bonds, shall be held responsible for
341 actions contrary to this provision.

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

348 **SECTION 43.** This act shall take effect and be in force from
349 and after July 1, 2022, and shall stand repealed from and after
350 June 29, 2022.

HR13\SB3002A.J

Andrew Ketchings
Clerk of the House of Representatives