

By: Senator(s) Gordon, Thames, Burton,  
Frazier, Chaney, Dawkins, Dearing, Farris,  
Posey, Scoper

To: Appropriations

SENATE BILL NO. 3102

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 AND THE DESIGNATED INSTITUTES, LABORATORIES AND  
4 PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE  
5 OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2002; AND FOR RELATED  
6 PURPOSES.

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

8 SECTION 1. The following sums of money, or so much thereof  
9 as may be necessary, are hereby appropriated out of any money in  
10 the State General Fund not otherwise appropriated, to the Board of  
11 Trustees of State Institutions of Higher Learning for the purpose  
12 of support, maintenance, affirmative action plan, interest funds  
13 and repairs at the state-supported institutions of higher  
14 learning; for support of Mississippi State University, Mississippi  
15 State Chemical Laboratory, Water Resources Institute, University  
16 of Mississippi, Mississippi Law Research Institute, Teacher  
17 Corps, Jackson State University Urban Research Center, Mississippi  
18 Mineral Resources Research Institute, Research Institute of  
19 Pharmaceutical Sciences, the Supercomputer, the Stennis Institute  
20 of Government, Mississippi University for Women, University of  
21 Southern Mississippi, Gulf Coast Research Laboratory, Polymer  
22 Institute, Small Business Development Center, Stennis Center for  
23 Higher Learning, Delta State University, Alcorn State University,  
24 Jackson State University, Mississippi Valley State University, the  
25 Commission for Volunteer Services and the executive office of the  
26 board of trustees for the fiscal year beginning July 1, 2001, and  
27 ending June 30, 2002..... \$ 285,645,501.00.

28 SECTION 2. The following sums of money, or so much thereof  
29 as may be necessary, are hereby appropriated out of the proceeds  
30 from any federal, student fees or other special source funds not  
31 otherwise appropriated, to the Board of Trustees of State  
32 Institutions of Higher Learning for the purpose of support of  
33 Mississippi State University, Mississippi State Chemical  
34 Laboratory, Water Resources Institute, Mississippi Alcohol Safety  
35 Education Program, Stennis Institute of Government, University of  
36 Mississippi, Mississippi Law Research Institute, Mississippi Small  
37 Business Development Center, Mississippi Mineral Resources  
38 Research Institute, Research Institute of Pharmaceutical Sciences,  
39 the Supercomputer, Mississippi University for Women, University of  
40 Southern Mississippi, Stennis Space Center's Center for Higher  
41 Learning, Gulf Coast Research Laboratory, Polymer Institute, Delta  
42 State University, Alcorn State University, Jackson State  
43 University, Jackson State University Urban Research Center,  
44 Mississippi Valley State University, the Commission for Volunteer  
45 Services and the executive office of the board of trustees for the  
46 fiscal year beginning July 1, 2001, and ending June 30, 2002.....  
47 ..... \$ 365,239,421.00.

48 SECTION 3. The following sum, or so much thereof as may be  
49 necessary, is hereby appropriated out of any money in the State  
50 Treasury to the credit of the:

51 Mississippi Alcohol Safety Education Program. . . \$ 150,000.00.  
52 State Court Education Program . . . . . \$1,822,987.00.

53 for the purpose of defraying the expenses incurred by said  
54 programs for the fiscal year beginning July 1, 2001, and ending  
55 June 30, 2002.

56 SECTION 4. The following sums, or so much thereof as may be  
57 necessary, is hereby appropriated out of any money in the Ayers  
58 Endowment Interest Fund, State Treasury Fund No. 3258, for the  
59 purposes as set out by the courts in the Ayers Case:

60 Alcorn State University. . . . . \$300,000.00

61 Jackson State University . . . . . \$300,000.00

62 Mississippi Valley State University. . . \$300,000.00

63 SECTION 5. Of the funds appropriated under the provisions of  
64 Sections 1 and 2 hereof, the following amounts, or so much thereof  
65 as may be necessary, shall be expended by the Board of Trustees of  
66 State Institutions of Higher Learning for the purposes hereinafter  
67 set forth:

68 (1) Support:

69 (a) From State General Funds, for support  
70 of Mississippi State University, the  
71 University of Mississippi, Mississippi  
72 University for Women, University of  
73 Southern Mississippi, Delta State University,  
74 Alcorn State University, Jackson State  
75 University and Mississippi Valley State  
76 University, for the sum..... \$ 269,377,319.00.

77 (b) From State General Funds, for the support of  
78 Executive Office of the Board of Trustees for  
79 the sum of..... \$ 2,580,624.00.  
80 Mississippi State Chemical Laboratory for the  
81 sum of..... \$ 1,302,379.00.  
82 Mississippi Water Resources Institute for the  
83 sum of..... \$ 102,577.00.  
84 Mississippi Law Research Institute for the  
85 sum of..... \$ 619,900.00.  
86 Mississippi Mineral Resources Institute for  
87 the sum of..... \$ 480,528.00.  
88 Research Institute of Pharmaceutical Sciences  
89 for the sum of..... \$ 4,177,824.00.  
90 Jackson State University Urban Research  
91 Center for the sum of..... \$ 300,928.00.  
92 Gulf Coast Research Laboratory for the  
93 sum of..... \$ 3,331,832.00.

94 Supercomputer for the sum  
 95 of..... \$ 1,634,145.00.  
 96 Mississippi Polymer Institute for  
 97 the sum of..... \$ 521,860.00.  
 98 Mississippi Small Business  
 99 Development Center for the  
 100 sum of..... \$ 425,312.00.  
 101 Stennis Space Center - Center for Higher  
 102 Learning for the sum of..... \$ 432,609.00.  
 103 Stennis Institute of Government for the  
 104 sum of..... \$ 271,742.00.  
 105 Commission for Volunteer Services for  
 106 the sum of..... \$ 85,922.00.

107 Of the funds appropriated under the provisions of Section 1,  
 108 and allocated to the Gulf Coast Research Laboratory, the Board of  
 109 Trustees of State Institutions of Higher Learning shall allocate  
 110 for Sea Grants matching One Hundred Seventy-five Thousand Dollars  
 111 (\$175,000.00) for the Fiscal Year 2002.

112 Provided further, it is the intention of the Legislature, in  
 113 the event budget reductions are imposed on the Gulf Coast Research  
 114 Laboratory by the Board of Trustees of State Institutions of  
 115 Higher Learning, as a result of the Governor ordering budget  
 116 reductions under the provisions of Sections 27-104-13 or  
 117 31-17-123, Mississippi Code of 1972, the same percent reduction  
 118 will be applied to those state funds identified in this section  
 119 for Sea Grant match.

120 (c) From special funds, the following sum,  
 121 or so much thereof as may be necessary,  
 122 is hereby authorized out of the proceeds  
 123 derived from any federal funds, student  
 124 fees or other special source funds  
 125 which are collected by or otherwise  
 126 become available for the support and

127 maintenance of the eight (8) universities,  
128 institutes, laboratories, programs and  
129 executive office of the board of trustees....  
130 .....\$365,239,421.00.

131 It is the intent of the Legislature that  
132 the Board of Trustees of State Institutions of  
133 Higher Learning shall allocate funds to the  
134 off-campus centers based on a minimum rate  
135 of sixty-five percent (65%) of the on-campus cost  
136 of a full-time equivalent student. The on-campus  
137 distribution is to be determined without regard to  
138 the costs incurred by any one or more of them in  
139 the operation of off-campus degree completing  
140 centers' classes. Off-campus centers which  
141 are operated jointly by two (2) or more  
142 institutions, the amount allocated to such  
143 centers shall be prorated among the  
144 institutions jointly operating such  
145 centers based on the full-time equivalent  
146 enrollment of such centers.

147 (d) The board of trustees shall insure that  
148 the off-campus centers are not charged  
149 with any indirect or overhead cost  
150 prorated from any on-campus activity.

151 It is the intent of the Legislature that  
152 the on-campus operations charge the  
153 off-campus centers with only actual direct  
154 charges.

155 (e) Of the funds appropriated in Section 1 and  
156 allocated in Section 5(1)(a), the amount of  
157 One Hundred Fifty-seven Thousand Five Hundred  
158 Dollars (\$157,500.00) shall be used for the  
159 promotion and expenses of the Mississippi

160 Governor's School for the Gifted and  
161 Talented.

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

177           The Board of Trustees of State Institutions  
178 of Higher Learning shall compile and publish  
179 the report of the statewide evaluation  
180 committee on the leadership impact of graduates  
181 of this school. This report is to be a  
182 continuing study on the youthful leadership of  
183 the state.

184           (f) Of the funds appropriated in Section 1 and  
185 allocated in Section 5(1)(a), the amount of  
186 Two Hundred Twenty-five Thousand Dollars  
187 (\$225,000.00) shall be used for the promotion  
188 and expenses of the Teacher Corps.

189           (g) It is the intent of the Legislature that  
190 no general funds authorized to be expended  
191 herein shall be used to replace federal funds  
192 and/or other special funds which are being used

193 for salaries authorized under the provisions of  
194 this act and which are withdrawn and no longer  
195 available.

196 (h) After the Mississippi State Chemical Laboratory  
197 has provided the maximum amount of services  
198 which may be provided free of charge under the  
199 provisions of Section 57-21-11(c), Mississippi  
200 Code of 1972, the laboratory shall not provide  
201 any additional services from the funds  
202 appropriated under the provisions of Sections  
203 1 and 2 if any charges for such services  
204 previously provided are more than ninety (90)  
205 days past due. After all such delinquent  
206 charges have been paid by a client, the  
207 laboratory may provide additional services to  
208 the client.

209 (2) Of the funds appropriated in Section 1 and  
210 allocated in Section 5(1)(a), the following amounts  
211 shall be used as set forth:

212 (a) For Mississippi State University as interest  
213 on agricultural land script fund and  
214 interest on sale of university land, the  
215 sum of.....\$ 14,387.00.

216 (b) For the University of Mississippi as  
217 interest on original seminary fund, the  
218 sum of.....\$ 32,643.00.

219 (c) For the University of Mississippi as  
220 interest on 1904 land grant fund, the  
221 sum of.....\$ 9,965.00.

222 (d) For the University of Mississippi as  
223 interest on LaBauve Fund, the sum  
224 of.....\$ 1,420.00.

225 (e) For Mississippi University for Women

226 as interest on funds paid into the  
227 State Treasury as proceeds of sale of  
228 land donated to the Industrial Institute  
229 and College by the United States  
230 Government, the sum of.....\$ 9,389.00.

231 (f) For Alcorn State University as interest  
232 on land script and land sales funds,  
233 the sum of.....\$ 12,592.00.

234 SECTION 6. Of the funds appropriated in Section 2 and  
235 authorized for expenditure in Section 5(1)(c), the following  
236 amounts shall be derived from Education Enhancement Funds  
237 deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi  
238 Code of 1972:

239 On-campus and off-campus support of Mississippi  
240 State University, the University of Mississippi,  
241 Mississippi University for Women, University of  
242 Southern Mississippi, Delta State University, Alcorn  
243 State University, Jackson State University, and  
244 Mississippi Valley State University for  
245 the sum of..... \$ 33,920,439.00.

246 Executive Office of the Board of Trustees  
247 for the sum of..... \$ 92,422.00.

248 Mississippi State Chemical Laboratory for the  
249 sum of..... \$ 170,100.00.

250 Mississippi Water Resources Institute for  
251 the sum of..... \$ 9,200.00.

252 Mississippi Law Research Institute for  
253 the sum of..... \$ 57,803.00.

254 Mississippi Mineral Resources Institute  
255 for the sum of..... \$ 25,300.00.

256 Research Institute of Pharmaceutical  
257 Sciences for the sum of..... \$ 105,800.00.

258 Stennis Institute of Government for the sum



259 of..... \$ 49,000.00.  
 260 Commission on Volunteer Services for  
 261 the sum of..... \$ 97,000.00.  
 262 Stennis Space Center - Center for Higher  
 263 Learning for the sum of ..... \$ 100,000.00.  
 264 Gulf Coast Research Laboratory for the  
 265 sum of..... \$ 207,000.00.  
 266 TOTAL..... \$ 34,834,064.00.

267 SECTION 7. Of the funds appropriated in Sections 1, 2 and 4  
 268 and authorized for expenditure in Sections 4, 5 (1) (a) and 7, the  
 269 following amount, or so much thereof as may be necessary, shall be  
 270 expended by the Board of Trustees of State Institutions of Higher  
 271 Learning for the purpose of defraying the costs associated with  
 272 Ayers-related programs at Alcorn State University, Jackson State  
 273 University and Mississippi Valley State University, the  
 274 court-appointed monitor, interest on the Ayers Endowment Fund and  
 275 Ayers-related studies or any other Ayers-related activities.....  
 276 ..... \$ 18,122,908.00.

277 SECTION 8. It is the intention of the Legislature that the  
 278 Board of Trustees of State Institutions of Higher Learning shall  
 279 first use special funds to the greatest extent possible to defray  
 280 the costs of providing remediation at the state-supported  
 281 institutions of higher learning.

282 SECTION 9. None of the funds appropriated by this act shall  
 283 be expended for any purpose that is not actually required or  
 284 necessary for performing any of the powers or duties of the Board  
 285 of Trustees of State Institutions of Higher Learning, or any of  
 286 the powers or duties of any institution under the jurisdiction of  
 287 the board of trustees, that are authorized by the Mississippi  
 288 Constitution of 1890, state or federal law, or rules or  
 289 regulations that implement state or federal law.

290 SECTION 10. The Board of Trustees of State Institutions of  
 291 Higher Learning shall submit to the Committee on Appropriations of

292 both houses of the Mississippi Legislature by January 1, 2002, a  
293 consolidated report for all the several institutions under its  
294 jurisdiction, on forms and in a manner to be prescribed by the  
295 Legislative Budget Committee, which reflects the anticipated  
296 current restricted fund revenues for the 2002 fiscal year, and the  
297 budgeted use of such current restricted funds by major object  
298 category. For purposes of this section, the term "current  
299 restricted funds" shall be defined as those public funds available  
300 for financing university operations which are limited by the  
301 donor, or by an agency external to the Board of Trustees of State  
302 Institutions of Higher Learning, to specific purposes, programs,  
303 departments or schools, but shall not include endowment funds or  
304 private gifts exempted under the provisions of Section 27-103-5,  
305 Mississippi Code of 1972.

306 SECTION 11. It is the intention of the Legislature that the  
307 budget requests of the individual institutes, laboratories and  
308 programs consolidated in this bill for Fiscal Year 2003 shall be  
309 submitted to the Joint Legislative Budget Committee in a format  
310 and level of detail comparable to the format and level of detail  
311 provided during the Fiscal Year 2002 budget request process.

312 SECTION 12. It is the intention of the Legislature that the  
313 Board of Trustees of State Institutions of Higher Learning  
314 continue to review, and eliminate when possible, duplicating  
315 programs and degrees in the existing institutions of higher  
316 learning in this state.

317 SECTION 13. No state appropriations or student tuition and  
318 fee receipts, except those specifically charged for the provision  
319 of the services, shall be used to support auxiliary enterprises,  
320 with the exception of intercollegiate athletics at a level  
321 designated by the board of trustees. It is the intent of the  
322 Legislature that auxiliary enterprises shall be self-supporting;  
323 and that deficits not be taken from funds intended for instruction  
324 and academic programs.

325 SECTION 14. However, none of the funds herein appropriated  
 326 shall be spent to defray tuition cost or subsidize in any way the  
 327 direct cost of education, ordinarily paid by the student, of any  
 328 nonresident alien enrolled in any state-supported institution of  
 329 higher learning in the State of Mississippi. However, this will  
 330 not apply to any nonresident alien student if the United States  
 331 has a reciprocal agreement with their country on subsidizing the  
 332 education of a United States citizen student.

333 SECTION 15. The Board of Trustees shall report yearly to the  
 334 Legislature the institution compliance with Section 97-11-51,  
 335 Mississippi Code of 1972, which prohibits deficit spending.

336 SECTION 16. Any funds appropriated pursuant to this act and  
 337 paid as a fee to or deposited in a financial institution shall be  
 338 in compliance with Section 109 of the Constitution of the State of  
 339 Mississippi and Section 25-4-103, Mississippi Code of 1972.

340 SECTION 17. In compliance with the "Mississippi Performance  
 341 Budget and Strategic Planning Act of 1994," it is the intent of  
 342 the Legislature that the funds provided herein shall be utilized  
 343 in the most efficient and effective manner possible to achieve the  
 344 intended mission of this agency. Based on the funding authorized,  
 345 this agency shall make every effort to attain the targeted  
 346 performance measures provided below:

	FY2002
<u>Performance Measures</u>	<u>Target</u>
Instruction	
Maintain a Freshman (first-time, full-time)	
Cohort Retention rate from fall to fall	
that is 70% or above (%)	70.00
Maintain a Freshman (first-time, full-time)	
Cohort Graduation rate after 6 years	
that is 40% or above (%)	40.00
Increase in Other Race Personnel with	
Academic Rank (%)	1.00

358	Increase in Number of Personnel with	
359	Academic Rank who hold Terminal Degrees	
360	(Includes Doctorate & First Professional	
361	Degrees) (%)	1.00
362	Research	
363	Change in Expenditures of Unrestricted	
364	E&G Funds for Research (%)	1.00
365	Academic Support	
366	Strive to Reach the Average Expenditure for	
367	Libraries as listed in the American Library	
368	Association Standards from Academic &	
369	Research Libraries (%)	0.50
370	Increase the Expenditure of Unrestricted E&G	
371	Funds per Fall Full-time Equivalent Student	
372	for Academic Technical Support (%)	2.00
373	Operation & Maintenance	
374	Increase the Expenditures of Unrestricted E&G	
375	Funds for Upkeep Cost per Acre of Grounds	
376	(core on- & off-campus) Maintained (%)	0.50
377	Increase the Expenditure of Unrestricted E&G	
378	Funds for Operation & Maintenance Cost	
379	per Square Feet of Building (%)	0.50
380	Scholarships & Fellowships	
381	Change in Number of Students Receiving	
382	Scholarship Dollars from Unrestricted E&G	
383	Funds (%)	0
384	Change in Amount of Scholarship Dollars	
385	Awarded from Unrestricted E&G Funds (%)	0
386	Public Service	
387	Increase the Expenditures of Unrestricted E&G	
388	Funds for Public Service (%)	1.00
389	Student Services	
390	Increase the Expenditures of Unrestricted E&G	

391	Funds for Undergraduate Admissions &	
392	Records (%)	1.00
393	Increase the Expenditures of Unrestricted	
394	E&G Funds for Undergraduate Financial	
395	Aid (%)	1.00
396	Institutional Support	
397	Change in Expenditures of Unrestricted E&G	
398	Funds for Institutional Support per Fall	
399	Full-time Equivalent Student (%)	1.00

400 A reporting of the degree to which the performance targets  
401 set above have been or are being achieved shall be provided in the  
402 agency's budget request submitted to the Joint Legislative Budget  
403 Committee for Fiscal Year 2003.

404 SECTION 18. Of the funds appropriated under the provisions  
405 of this act, the Board of Trustees of State Institutions of Higher  
406 Learning may expend out of these funds such sums as may be  
407 necessary to provide transportation and transportation related  
408 services, including the operation or use of buses, vans or other  
409 vehicles owned or leased by the Board of Trustees of State  
410 Institutions of Higher Learning in support of the annual meeting  
411 of the Southern Legislative Conference hosted by the State of  
412 Mississippi.

413 SECTION 19. The money herein appropriated shall be paid by  
414 the State Treasurer out of any money in the State Treasury to the  
415 credit of the proper fund or funds as set forth in this act, upon  
416 warrants issued by the State Fiscal Officer; and the State Fiscal  
417 Officer shall issue his warrants upon requisitions signed by the  
418 proper person, officer or officers, in the manner provided by law.

419 SECTION 20. This act shall take effect and be in force from  
420 and after July 1, 2001.