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Chapter No. 94
10/SS01/A157SG
STW 1/5/06

SENATE BILL NO. 3126

Originated in Senate *Herold Hughes* Secretary

SENATE BILL NO. 3126

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2011.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 26,915,820.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 2,275,743.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of carryover

funds in State Treasury Fund 325E, pursuant to Section 37-106-33, Mississippi Code of 1972, for the support and maintenance of the Mississippi Resident Tuition Assistance Grant Program and the Mississippi Eminent Scholars Grant Program, for the fiscal year beginning July 1, 2010, and ending June 30, 2011.....
.....\$ 1,200,000.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of the Mississippi Critical Teacher Shortage Fund, State Treasury Fund 3213, pursuant to Section 37-159-17, Mississippi Code of 1972, for support and maintenance of the Critical Needs Teacher Scholarship Program for the fiscal year beginning July 1, 2010 and ending June 30, 2011.....\$ 2,984,395.00.

SECTION 5. Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

Provided, however, that none of the funds apportioned in this act for the Out-of-State Educational Program shall be paid to or for the benefit of any student who enters a school outside the State of Mississippi for the first time, subsequent to July 1, 1982, in any discipline in the fields of medicine or dentistry.

SECTION 6. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1, the Board of Trustees of the State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for eleven (11) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year; for ten (10) new entering chiropractic students, with not more than twenty-five (25) chiropractic students overall; and seven (7) new entering osteopathic medical students and the number of returning

osteopathic medical students who received funding under the program during the preceding school year, for these courses of study.

SECTION 7. In the allocation of funds appropriated under the provisions of Sections 1 and 2, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Sections 37-107-1 through 37-107-7 and Sections 37-108-1 through 37-108-5, Mississippi Code of 1972.

SECTION 8. All funds provided for in this act shall be accounted for in a detailed statement showing when, to whom, and for what purpose applied, and this statement shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. A report of loans made and receipt of repayment of loans to the fund shall be reported. The amount of repayment that is in arrears shall also be included. Such report shall include the number of students at each institution receiving financial assistance and the amount of such assistance, and an estimate of the financial requirement of the various loan programs for the next year. No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on that date such official transcript is requested.

Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-143-21, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2012 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 2011 budget request process.

SECTION 10. 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 25-4-103, Mississippi Code of 1972.

SECTION 11. 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 12. It is the intention of the Legislature that should funds become available in Fiscal Year 2011 to support a supplemental tuition grant program, the State Board of Trustees of Institutions of Higher Learning may establish the Mississippi Supplemental Tuition Grant Program. The amount of grants under this program shall be equivalent to the amount of grants awarded to freshmen and sophomores under Section 37-106-29, Mississippi Code of 1972, for Mississippi Tuition Assistance Grants.

SECTION 13. It is legislative intent to ensure beneficial information reaches as many Mississippians as possible. Further, it is legislative intent that the expenditure of public funds for this purpose be accomplished in an efficient and effective manner.

Therefore, state agencies as standard procedure, will observe the following criteria:

- (a) Develop goals and desired result for a campaign.
- (b) Evaluate effectiveness through respected advertising standards, including market reach and cost-effectiveness.

(c) Seek public service announcements, which would be aired by media without cost.

(d) Itemize and justify professional assistance and related expenses for creative and production costs outside of the actual media expenditures.

(e) Utilize Mississippi-owned media companies when feasible.

SECTION 14. It is the intention of the Legislature that the agency shall compile cell phone usage records of any cellular phone (wireless communication device) that is assigned, issued or made available to any officer or employee in accordance with Section 25-53-191, Mississippi Code of 1972, and these records shall be made publicly available at the expense of the agency.

SECTION 15. It is the intention of the Legislature that this agency shall have the authority to receive, budget and expend funds from any source that may become available to them as a result of the passage of the American Recovery and Reinvestment Act of 2009 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Executive Director of the Department of Finance and Administration shall have the authority to approve escalations of funds and employee positions using funds from any source available due to the passage of the American Recovery and Reinvestment Act of 2009.

The Executive Director of the Department of Finance and Administration shall immediately send notice of the approval of such budget escalation to the House of Representatives Appropriations Committee, the Senate Appropriations Committee and the Legislative Budget Office. Within fifteen (15) days of such approval, the Executive Director of the Department of Finance and Administration shall ensure that the Legislative Budget Office receives detailed and accurate information about the amount and

use of federal and special source funds by state agencies as a result of the passage of the American Recovery and Reinvestment Act of 2009.

SECTION 16. Of the funds provided within this act, no former employee who is receiving State of Mississippi retirement benefits shall be hired under contract for an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year without prior approval by an agency's proper governing board or authority. Upon approval of such contracts a written report shall be submitted detailing the cost and need of contract services to the Chairmen and members of the Senate and House Appropriation Committees.

SECTION 17. 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 Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

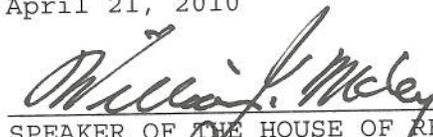
SECTION 18. This act shall take effect and be in force from and after July 1, 2010.

PASSED BY THE SENATE
April 21, 2010



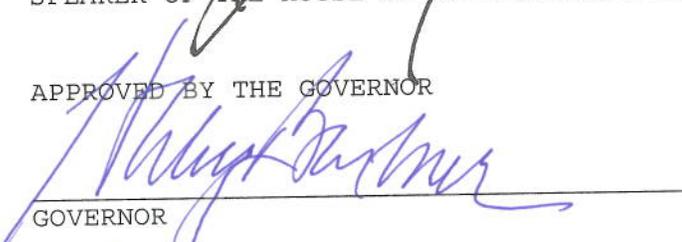
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 21, 2010



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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