Chapter No. 43
12/SS26/A292SG
JN / BW/SG

SENATE BILL NO. 2967

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2967

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2013.

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, for the aid and support of the public community and junior colleges for the fiscal year beginning July 1, 2012, and ending June 30, 2013 ..... $ 148,779,360.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the aid and support of public community and junior colleges for the fiscal year beginning July 1, 2012, and ending June 30, 2013 ..... $ 40,180,078.00.

SECTION 3. The funds appropriated in this act for the aid and support of the public and community junior colleges shall be apportioned in accordance with the following assigned weights:

	Formula Section	FTE Formula
(a)	Aid to Colleges:	
	Base	15% prior year appropriation
	Academic	1.0
	Technical	1.0

	Virtual Comm. College	.50
(b)	Career	1.0
(c)	Associate Degree Nursing	1.19
(d)	Associate Degree Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

Virtual Community College hosted and provided courses may qualify on the basis of the prior year full-time equivalency of Virtual Community College hours generated during the summer, fall and spring semesters. Those semester credit hours being hosted and provided by one (1) institution shall receive funding at the weight of 1.0.

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this subsection, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of

its operation for the period commencing July 1, 2012, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one public community or junior college shall not exceed thirty-three percent (33%) of the amount of state appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

SECTION 4. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in the act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 5. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board.

SECTION 6. The following public community and junior colleges which qualify shall participate in the funds provided by Sections 1 and 2 of this act:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College District, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College District, Northeast Mississippi Community College, Northwest Mississippi Community

College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 7. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 8. 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 Mississippi Community College Board for the purposes of hiring nursing and allied health teachers, awarding interest-free nursing and allied health student loans and providing instructional support for the Rural Health Corps for the fiscal year beginning July 1, 2012, and ending June 30, 2013 ..... $ 1,200,000.00.

The funds appropriated in this section shall be allocated as follows:

(a) One-half (1/2) divided equally among the fifteen (15) public community and junior colleges.

(b) One-half (1/2) divided upon the basis of the number of full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for academic, technical and career public community and junior college students actually enrolled and in attendance on the last day of the sixth week of the fall semester or its equivalent of the preceding year counting only those students who reside within the State of Mississippi.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office an accounting of expenditures and program accomplishments of the Rural Health Corps Program for each of the individual community and junior colleges in a format and manner prescribed by the Legislative Budget Office.

SECTION 9. 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, for the aid of the public community and junior colleges, to fund life and health insurance, for all employees of the public community and junior colleges for the fiscal year beginning July 1, 2012, and ending June 30, 2013 . ...$ 23,421,000.00.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan. Any funds appropriated in this section which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 10. In addition to funds appropriated in Section 9, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees, for the fiscal year beginning July 1, 2012, and ending June 30, 2013.................................$ 1,440,000.00.

SECTION 11. 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, for the purpose of establishing and operating Workforce Development Centers at each of the public community and junior colleges for the fiscal year beginning July 1, 2012, and ending June 30, 2013 ....$ 4,500,000.00.

SECTION 12. 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 Mississippi Community College Board for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and

junior colleges for the fiscal year beginning July 1, 2012, and ending June 30, 2013 ..... $ 179,050.00.

SECTION 13. 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 Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board for the fiscal year beginning July 1, 2012, and ending June 30, 2013.....$ 7,099,160.00.

SECTION 14. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Mississippi Code Annotated, Section 37-155-5(d)(iii).

SECTION 15. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2013 Target
Instruction	
Cumulative grade point average of community college transfer students attending State Institutions of Higher Learning will equal or exceed the Grade Point Average earned by native students in the same university system (GPA based on a 4.0 scale)	3.09
Average Class Size (Students/Class)	21.00

Percentage of community & junior college associate degree nursing graduates who pass the state board nursing exam on the first write (%)	92.00
Percentage of full-time & adjunct (part-time) faculty who met the criteria for academic & professional preparation (%)	100.00
Percentage of career-technical students who complete or exit a program & are considered positively placed in employment/military (%)	82.00
Total cost per full-time equivalent student ($)	5,491.26
Physical Plant Operation	
Percentage of community & junior colleges with a written comprehensive safety & health program implemented to ensure safe working conditions & practices (%)	100.00
Number of student injuries on community & junior colleges grounds (Students)	79
Number of employee injuries on community & junior colleges grounds (Employees)	131

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2014.

SECTION 16. 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 Mississippi Community College Board for the purpose of defraying the cost of Advanced Training Centers at each of the Public Community and

Junior Colleges, for the fiscal year beginning July 1, 2012, and ending June 30, 2013 ..... $ 2,250,000.00.

SECTION 17. 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 State Board for Community and Junior Colleges for the purpose of defraying the cost of the Associate Degree Nursing Programs, for the fiscal year beginning July 1, 2012, and ending June 30, 2013 .....
..... $ 1,356,922.00.

SECTION 18. 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, for the purpose of providing a pilot dropout recovery initiative based on a successful program administered through the adult basic education program with the State Board for Community and Junior colleges for the fiscal year beginning July 1, 2012, and ending June 30, 2013.
..... $ 1,500,000.00.

Of the funds provided in this section, One Hundred Thousand Dollars ($100,000.00) is provided for each Community and Junior College.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a GED and/or career program for each community and junior college during Fiscal Year 2013 on, or before, August 1, 2013.

SECTION 19. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall

include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 20. It is the intention of the Legislature that the Mississippi Community College Board is hereby authorized to accept, budget and expend funds from any source in an amount not to exceed One Million Dollars ($1,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 21. 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 22. It is the intention of the Legislature that the support of Community and Junior Colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2012. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2014 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 2013 budget request process.

SECTION 23. 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 24. This act shall take effect and be in force from and after July 1, 2012.

PASSED BY THE SENATE
April 28, 2012

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 28, 2012

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

GOVERNOR

2:01 pm

5-16-12