Chapter No. 69
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SENATE BILL NO. 2867

Originated in Senate _____ Secretary

SENATE BILL NO. 2867

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 2015.

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, 2014, and ending June 30, 2015 ..... $ 161,945,275.00.

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, 2014, and ending June 30, 2015 ..... $ 42,266,711.00.

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 section, 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, 2014, 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, 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, 2014, and ending June 30, 2015.

..... $ 24,084,600.00.

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 9. In addition to funds appropriated in Section 8, 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, 2014, and ending June 30, 2015 ..... $ 795,000.00.

SECTION 10. 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, 2014, and ending June 30, 2015 .... $ 4,500,000.00.

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, 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, 2014, and ending June 30, 2015 ..... $ 179,050.00.

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 the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board for the fiscal year beginning July 1, 2014, and ending June 30, 2015 . ..... $ 7,099,160.00.

SECTION 13. 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 Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 14. 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	FY2015 Target
Instruction	
Increase in the number of GEDs awarded (%)	2.00
Baseline (2009-2010 Headcount): 5,865	
Increase in the number of credit degrees & certificates awarded (%)	
Baseline (2009-2010 Enrollment): 12,018	2.00
Increase in the percentage of licensure exam pass rate for those trained in jobs requiring state &/or national licensure (%)	

Baseline (2009-2010 Enrollment): 92.20%	92.50
Increase in the number of unduplicated dual enrollment headcount (%)	
Baseline (Fall 2011 Enrollment): 2,066	2.00
Increase in the number of developmental English students (first-time entering, full-time) enrolling in English Composition I who complete English Composition I (%)	
Baseline (Based on Fall 2008 Cohort & 2008-2009 Enrollment): 76.50%	78.00
Increase in the number of developmental Math students (first-time entering, full-time) enrolling in College Algebra who complete College Algebra (%)	
Baseline (Based on Fall 2008 Cohort & 2008-2009 Enrollment): 74.10%	75.00
Increase in the number of developmental English students (first-time entering, full-time) who complete English Composition I (%)	
Baseline (Based on Fall 2008 Cohort & 2008-2009 Enrollment): 42.20%	43.00
Increase in the number of developmental Math students (first-time entering,	

full-time) who complete College

Algebra (%)

Baseline (Based on 2008 Cohort &

2008-2009 Enrollment): 27.60% 29.00

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 2016.

SECTION 15. 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, 2014, and ending June 30, 2015 ..... $ 2,250,000.00.

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 the Associate Degree Nursing and Allied Health Programs, for the fiscal year beginning July 1, 2014, and ending June 30, 2015 .... $ 2,556,922.00.

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, 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, 2014, and ending June 30, 2015.

..... $ 3,000,000.00.

Of the funds provided in this section, Two Hundred Thousand Dollars ($200,000.00) 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 2015 on, or before, August 1, 2015.

SECTION 18. 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 19. 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 20. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the public community and junior colleges, acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2014, and ending June 30, 2015..... $ 3,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the public community and junior colleges as allocated herein:

Coahoma Community College..... $ 95,275.00.

Copiah- Lincoln Community College..... $ 141,694.00.

East Central Community College..... $ 106,129.00.

East Mississippi Community College.....$ 159,020.00.

Hinds Community College..... $ 496,734.00.

Holmes Community College..... $ 208,511.00.

Itawamba Community College..... $ 252,165.00.

Jones Junior College..... $ 202,051.00.

Meridian Community College..... $ 142,961.00.

Mississippi Delta Community College..... $ 136,296.00.

Mississippi Gulf Coast Community College..... $ 371,702.00.

Northeast Mississippi Community College..... $ 153,109.00.

Northwest Mississippi Community College..... $ 272,144.00.

Pearl River Community College..... $ 170,457.00.

Southwest Mississippi Community College..... $ 91,752.00.

No funds under this section shall be expended for institution/agency administrative costs, including, but not limited to, institution/agency employee salaries or travel. Any funds so transferred that are not expended within the fiscal year received shall be returned to the Capital Expense Fund unless such funds are specifically reappropriated by the Legislature to that institution/agency. Expenditure of all funds under this section shall be reported to the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Such report shall be made no later than December 31, 2014, and shall include at least the following information for each institution/agency receiving such funds: name of each project, scope of each project, total budget of each project, name of prime professional for each project, and source/amount of any other project funds if applicable.

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 2014. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2016 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 2015 budget request process.

SECTION 23. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 24. 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 25. This act shall take effect and be in force from and after July 1, 2014.

PASSED BY THE SENATE
March 31, 2014

Tate Reeves

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 31, 2014

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

4/16/14 3:29pm