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Chapter No. 95
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SENATE BILL NO. 2944

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2944

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2019.

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

SECTION 1. The following sum of money, 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 purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2018, and ending June 30, 2019 ..... $ 292,941,594.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from

any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2018, and ending June 30, 2019 ..... $ 916,568,615.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2018, and ending June 30, 2019:

Alcorn State University $254,700.00

Jackson State University $390,600.00

Mississippi Valley State University $254,700.00

SECTION 4. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2)

or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall insure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 5. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Fifty Thousand Dollars ($150,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

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

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Sixty Thousand Dollars

($360,000.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 7. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 8. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

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

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

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

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

(e) For Mississippi University for Women as interest on funds paid into the State Treasury as proceeds of sale of

land donated to the Industrial Institute and College by the United States government, the sum of ..... $ 9,389.00.

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

SECTION 9. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi for the sum of ..... $ 55,782,670.00.

SECTION 10. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, Twelve Million Six Hundred Thirty-three Thousand Dollars ($12,633,000.00) shall be available to be expended by the Board of Trustees of State Institutions of Higher Learning for the purpose of defraying the costs associated with the implementation of the Ayers Settlement as follows:

Ayers-related programs at Alcorn State University, Jackson State University and Mississippi Valley State University .....

..... $6,733,000.00

Ayers Endowment Fund ..... $ 5,000,000.00

Interest on the Ayers Endowment Fund ..... $ 900,000.00

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

SECTION 12. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 13. The Board of Trustees of State Institutions of Higher Learning shall submit to the Committee on Appropriations of both houses of the Mississippi Legislature by January 1, 2019, a consolidated report for all the several institutions under its jurisdiction, on forms and in a manner to be prescribed by the Legislative Budget Committee, which reflects the anticipated current restricted fund revenues for the 2019 fiscal year, and the budgeted use of such current restricted funds by major object category. For purposes of this section, the term "current

restricted funds" shall be defined as those public funds available for financing university operations which are limited by the donor, or by an agency external to the Board of Trustees of State Institutions of Higher Learning, to specific purposes, programs, departments or schools, but shall not include endowment funds or private gifts exempted under the provisions of Section 27-103-5, Mississippi Code of 1972.

SECTION 14. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2020 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 2019 budget request process.

SECTION 15. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 16. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 17. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 18. 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 25-4-105, Mississippi Code of 1972.

SECTION 19. 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	FY2019 Target
Instruction	
Undergraduate Degrees Awarded (Number of)	12,221
Beginning Baseline: 11,405	
Graduate Degrees Awarded (Number of)	4,592
Beginning Baseline: 4,135	
Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health, & Education (Number of)	4,495

Beginning Baseline: 7,145

Undergraduate Degrees Awarded per 100

Undergraduate FTE Enrollment (Number of) 20.10

Beginning Baseline: 19.80

Graduate Degrees Awarded per 100

Graduate FTE Enrollment (Number of) 44.20

Beginning Baseline: 35.70

Students Completing 30 Hours (Number of) 13,915

Beginning Baseline: 13,891

Students Completing 60 Hours (Number of) 10,132

Beginning Baseline: 9,698

Research

Patents Obtained in Emerging

Technologies (Number of) 25

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 2020.

SECTION 20. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities..... $ 2,000,000.00.

SECTION 21. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch..... .... $ 850,000.00

SECTION 22. 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 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center..... $ 500,000.00.

SECTION 24. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center.... $ 320,000.00.

SECTION 25. It is the intent of the Legislature that at the end of Fiscal Year 2019 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for

expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 26. None of the state general funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 27. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation..... ..... $ 675,000.00.

SECTION 28. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-seven Thousand Five Hundred Thirty-six Dollars ($197,536.00) is provided for geospatial site licenses.

SECTION 29. 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 30. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning..... $ 175,000.00.

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

SECTION 31. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program..... ..... $ 75,000.00.

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

SECTION 32. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 33. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 34. Of the funds appropriated under the provisions of Section 1 of this act, Ninety Thousand Dollars ($90,000.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 35. Of the funds appropriated in Section 1 of this act, the amount of Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for defraying the expenses of the DuBard School.

SECTION 36. Of the funds appropriated under the provisions of Section 1 of this act, the following sum is for the Southwest Mississippi Center Culture and Learning at Alcorn State University for the fiscal year beginning July 1, 2018, and ending June 30, 2019.....$ 275,000.00.

SECTION 37. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Nine Hundred Fifty Thousand Dollars ($950,000.00) is provided for the Engineer

Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 38. Of the funds appropriated in Section 1 of this act, Two Hundred Twenty-five Thousand Dollars ($225,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 39. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately-owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately-owned structures.

SECTION 40. Of the funds appropriated in Section 2 of this act and allocated in Section 10 of this act, Five Million Dollars ($5,000,000.00) shall be derived from the Working-Cash Stabilization Reserve Fund as created under Section 27-103-203, Mississippi Code of 1972.

SECTION 41. Of the funds appropriated under the provisions of Section 2, the amount of One Million Fifty-three Thousand Four Hundred Fifty-eight Dollars ($1,053,458.00) shall be derived from unexpended balances in Ayers program funds provided for the

purpose in prior-year appropriations enacted by the Mississippi Legislature. These funds are to be allocated as follows:

Jackson State University.....$ 618,031.00

Mississippi Valley State University.....$ 435,427.00

SECTION 42. Of the funds appropriated under the provisions of Section 2, One Million Five Hundred Thousand Dollars ($1,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. Of this amount, Seven Hundred Fifty Thousand Dollars ($750,000.00) shall be allocated to Alcorn State University for STEM related programs and/or other programs as determined by the university; and Seven Hundred Fifty Thousand Dollars ($750,000.00) shall be allocated to Mississippi Valley State University for STEM related programs and/or other programs as determined by the university.

SECTION 43. Of the funds herein appropriated, Two Hundred Thirty-seven Thousand Dollars ($237,000.00) in General Funds and Four Hundred Thousand Dollars ($400,000.00) in Special Funds are provided to the Charter School Authorizer Board.

SECTION 44. 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 45. 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 46. This act shall take effect and be in force from and after July 1, 2018.

PASSED BY THE SENATE
March 26, 2018

Tate Reeves

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 26, 2018

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

April 12, 2018
5:26pm