

By: Senator(s) Burton

To: Universities and
Colleges; Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2322

1 AN ACT TO AUTHORIZE AND EMPOWER THE STATE BOARD FOR COMMUNITY
2 AND JUNIOR COLLEGES TO ESTABLISH AN EQUIPMENT LEASING AND PURCHASE
3 PROGRAM FOR THE USE OF THE COLLEGES; TO AMEND SECTION 37-63-11,
4 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI AUTHORITY
5 FOR EDUCATIONAL TELEVISION TO PROVIDE PRODUCTION FACILITIES AND
6 SERVICES TO PRIVATE ENTITIES AND TO COLLECT THE FAIR MARKET VALUE
7 FOR SUCH SERVICES; AND FOR RELATED PURPOSES.

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

9 SECTION 1. The State Board for Community and Junior Colleges
10 is authorized and empowered to establish an Equipment Leasing and
11 Purchase Program for the use of the colleges; to adopt policies
12 and procedures to implement such program; to establish such
13 offices or subordinate units as may be necessary for the
14 administration of such program; to adopt rules and regulations
15 pertaining to such program; to acquire by purchase, lease or
16 lease/purchase contract and retain or transfer ownership or
17 possession of instructional and other equipment; to contract for
18 the leasing of such properties and for the financing of leases and
19 purchases; to make such purchases and enter into such leases
20 according to the requirements of the purchase laws of the State of
21 Mississippi and the requirements of the laws establishing the
22 Mississippi Department of Information Technology Services for the
23 state; to enter into lease financing agreements in connection
24 therewith; and to require the transfer of appropriations for
25 general funds or self-generated funds from the institutions to the
26 Bond Retirement Fund (the fund) or such other funds as the board
27 may determine appropriate in connection with any lease financing
28 agreements. Interest earned on any funds held in the fund on

29 behalf of the separate colleges shall be credited to the colleges
30 on a pro rata basis based upon purchases through the fund.

31 SECTION 2. Section 37-63-11, Mississippi Code of 1972, is
32 amended as follows:

33 37-63-11. (1) The Mississippi Authority for Educational
34 Television is empowered to request and to receive such state funds
35 for educational television construction and operation as may be
36 appropriated or allocated to it, and to solicit and receive
37 contributions, matching funds, gifts, bequests and devises from
38 any source, whether federal, state, public or private. It may
39 enter into agreements with federal, state, public or private
40 agencies, departments, institutions, firms, corporations or
41 persons for the production, transmission, sale, lease or purchase
42 of educational television and educational radio programs. The
43 authority may also lease antenna space on television towers which
44 it owns. Before the authority is empowered to contract for
45 communication facilities to carry television signals, it shall
46 obtain written authority to do so from the Department of Finance
47 and Administration in order to ensure that there be no duplication
48 of state communication facilities.

49 (2) There is hereby established in the State Treasury a
50 special fund for the purpose of providing for the payment of all
51 expenses in respect to the administration of this chapter. Such
52 fund shall be administered by the authority. The State Treasurer
53 shall be the custodian of such funds and all monies and securities
54 in such fund shall be held in trust by such Treasurer and shall
55 not be the money or property of the state. The State Treasurer is
56 authorized to disburse monies from such fund only upon order of
57 the authority. The official bond of the State Treasurer shall be
58 conditioned for the faithful performance of his duty hereunder.
59 The State Treasurer shall deposit any monies paid into such fund
60 into such qualified depository banks as the authority may
61 designate and is authorized to invest any portion of the fund

62 which, in the opinion of the authority, is not needed for current
63 requirements in the same manner and subject to all provisions of
64 the law with respect to the deposit of state funds by such
65 Treasurer. All interest earned by such portion of the fund as may
66 be invested by the State Treasurer shall be collected by him and
67 placed to the credit of such fund.

68 (3) The Mississippi Authority for Educational Television is
69 empowered to provide * * * production or reproduction services for
70 other * * * entities. Production facilities and services may be
71 provided to private entities when such services are not readily
72 available from other private providers. The authority shall
73 collect the fair market value for providing such services,
74 allowing discounts for state agencies and other public entities.
75 All such revenues shall be deposited into the special fund.

76 SECTION 3. This act shall take effect and be in force from
77 and after July 1, 2001.