

Senate Amendments to House Bill No. 1647

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the Mississippi Authority for
9 Educational Television for the fiscal year beginning July 1, 2005,
10 and ending June 30, 2006..... \$ 5,053,047.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the Mississippi
14 Authority for Educational Television which is comprised of special
15 source funds collected by or otherwise available to the Authority,
16 for the purpose of defraying the expenses of the Authority for the
17 fiscal year beginning July 1, 2005, and ending June 30, 2006.....
18 \$ 4,781,431.00.

19 **SECTION 3.** Of the funds appropriated under the provisions of
20 Section 1 and Section 2, not more than the amounts set forth below
21 shall be expended for the respective major objects or purposes of
22 expenditure:

23 **MAJOR OBJECTS OF EXPENDITURE:**

24 Personal Services:

25 Salaries, Wages and Fringe Benefits.. \$ 5,332,330.00
26 Travel and Subsistence..... 45,300.00
27 Contractual Services..... 3,812,516.00
28 Commodities..... 444,332.00

29 Capital Outlay:

30 Other Than Equipment..... 0.00

31	Equipment.....	200,000.00
32	Subsidies, Loans and Grants.....	<u>0.00</u>
33	Total.....	\$ 9,834,478.00
34	FUNDING:	
35	General Funds.....	\$ 5,053,047.00
36	Special Funds.....	<u>4,781,431.00</u>
37	Total.....	\$ 9,834,478.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	119
40	Part Time.....	0
41	Time-Limited: Full Time.....	11
42	Part Time.....	0

43 With the funds herein appropriated, it is the intention of
44 the Legislature that it shall be the agency's responsibility to
45 make certain that funds required to be appropriated for "Personal
46 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
47 funds appropriated for that purpose, unless programs or positions
48 are added to the agency's Fiscal Year 2007 budget by the
49 Mississippi Legislature. Based on data provided by the
50 Legislative Budget Office, the State Personnel Board shall
51 determine and publish the projected annual cost to fully fund all
52 appropriated positions in compliance with the provisions of this
53 act. It shall be the responsibility of the agency head to insure
54 that no single personnel action increases this projected annual
55 cost and/or the Fiscal Year 2006 appropriation for "Personal
56 Services" when annualized, with the exception of escalated funds.
57 If, at the time the agency takes any action to change "Personal
58 Services," the State Personnel Board determines that the agency
59 has taken an action which would cause the agency to exceed this
60 projected annual cost or the Fiscal Year 2006 "Personal Services"
61 appropriated level, when annualized, then only those actions which
62 reduce the projected annual cost and/or the appropriation
63 requirement will be processed by the State Personnel Board until
64 such time as the requirements of this provision are met.

65 Any transfers or escalations shall be made in accordance with
66 the terms, conditions and procedures established by law or
67 allowable under the terms set forth within this act. The State
68 Personnel Board shall not escalate positions without written
69 approval from the Department of Finance and Administration. The
70 Department of Finance and Administration shall not provide written
71 approval to escalate any funds for salaries and/or positions
72 without proof of availability of new or additional funds above the
73 appropriated level.

74 No general funds authorized to be expended herein shall be
75 used to replace federal funds and/or other special funds which are
76 being used for salaries authorized under the provisions of this
77 act and which are withdrawn and no longer available.

78 Funds appropriated herein shall first be used for the
79 continuation of a full and complete broadcast schedule of
80 educational and instructional, professional growth, and public
81 service programs, with the production of new films and programs to
82 be secondary thereto.

83 **SECTION 4.** It is the intention of the Legislature that the
84 Mississippi Authority for Educational Television shall maintain
85 complete accounting and personnel records related to the
86 expenditure of all funds appropriated under this act and that such
87 records shall be in the same format and level of detail as
88 maintained for Fiscal Year 2005. It is further the intention of
89 the Legislature that the agency's budget request for Fiscal Year
90 2007 shall be submitted to the Joint Legislative Budget Committee
91 in a format and level of detail comparable to the format and level
92 of detail provided during the Fiscal Year 2006 budget request
93 process.

94 **SECTION 5.** Of the funds appropriated under the provisions of
95 Section 2, One Million Six Hundred Forty-four Thousand Sixty-seven
96 Dollars (\$1,644,067.00) shall be derived from the Education
97 Enhancement Fund deposited pursuant to Sections 27-65-75 and
98 27-67-31, Mississippi Code of 1972.

99 **SECTION 6.** No part of the funds appropriated herein shall be
100 transferred to, expended by, or used, directly or indirectly, for
101 the benefit of any public relations, publicity or publication
102 activities of any other state agency, department or officer, nor
103 shall any personnel paid or equipment purchased with funds
104 appropriated hereby be transferred or assigned to any other state
105 agency, department or officer for public relations, publicity or
106 publication activities of such office.

107 **SECTION 7.** It is the intention of the Legislature that the
108 Mississippi Authority for Educational Television shall have the
109 authority to expend funds in the Capital Equipment Replacement
110 Revolving Fund, in accordance with Section 37-63-17, Mississippi
111 Code of 1972, Annotated, for the purpose of purchasing technical
112 equipment for operating the educational radio and television
113 facilities.

114 **SECTION 8.** It is the intention of the Legislature that the
115 Mississippi Authority for Educational Television shall have the
116 authority to escalate its budget and expend funds from any source
117 not to exceed Two Million Dollars (\$2,000,000.00) in accordance
118 with rules and regulations of the Department of Finance and
119 Administration in a manner consistent with the escalation of
120 federal funds.

121 **SECTION 9.** In compliance with the "Mississippi Performance
122 Budget and Strategic Planning Act of 1994," it is the intent of
123 the Legislature that the funds provided herein shall be utilized
124 in the most efficient and effective manner possible to achieve the
125 intended mission of this agency. Based on the funding authorized,
126 this agency shall make every effort to attain the targeted
127 performance measures provided below:

	FY2006
<u>Performance Measures</u>	<u>Target</u>
Content Development	
Number of locally produced TV programs	37
Number of locally produced radio programs	36
Number of persons using other educational services	27,500

134	Technical Services	
135	Number of transmitters on air (Analog and DTV)	16
136	On air reliability (TV)	97.00
137	Activate multiple network delivery	3

138 Administration

139	Increase number of web site users	100
140	Number of agency personnel provided training	17

141 A reporting of the degree to which the performance targets
142 set above have been or are being achieved shall be provided in the
143 agency's budget request submitted to the Joint Legislative Budget
144 Committee for Fiscal Year 2007.

145 **SECTION 10.** The money herein appropriated shall be paid by
146 the State Treasurer out of any money in the State Treasury to the
147 credit of the proper fund or funds as set forth in this act, upon
148 warrants issued by the State Fiscal Officer; and the State Fiscal
149 Officer shall issue his warrants upon requisitions signed by the
150 proper person, officer or officers, in the manner provided by law.

151 **SECTION 11.** This act shall take effect and be in force from
152 and after July 1, 2005.

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John O. Gilbert
Secretary of the Senate