

By: Representatives Brown,
Broomfield, Dickson, Hudson,
Markham, Peranich, Straughter,
Warren, Weathersby

To: Appropriations

HOUSE BILL NO. 65

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL
3 TELEVISION FOR THE FISCAL YEAR 2006.

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

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..... \$ 5,087,218.00.

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 \$ 4,784,080.00.

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.. \$ 5,369,150.00

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..... \$	9,871,298.00
34	FUNDING:	
35	General Funds..... \$	5,087,218.00
36	Special Funds.....	<u>4,784,080.00</u>
37	Total..... \$	9,871,298.00

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 The agency shall not take any action to promote or otherwise
79 award salary increases through reallocation, reclassification,
80 realignment, education benchmark, career ladder, or any other
81 means to increase salaries of employees or positions unless
82 specifically exempted by the following conditions: the award of
83 teacher pay increases, the advancement of a trainee/cadet to the
84 next level of a bona fide career ladder, the award of an
85 educational benchmark for the attainment of Certified Public
86 Accountant License or higher level professional certification as
87 determined by the State Personnel Board, the immediate replacement
88 of a departing employee with an individual from within state
89 service or a new hire at a salary level equivalent to that of the
90 departing employee, and the emergency appointment of nurses,
91 pharmacists or other health care professionals at a salary to be
92 determined by the State Personnel Board, unless otherwise
93 authorized in this act.

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

SECTION 4. It is the intention of the Legislature that the Mississippi Authority for Educational Television 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 2005. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2007 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 2006 budget request process.

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

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

SECTION 7. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi

127 Code of 1972, for the purpose of purchasing technical equipment
128 for operating the educational radio and television facilities.

129 **SECTION 8.** It is the intention of the Legislature that the
130 Mississippi Authority for Educational Television shall have the
131 authority to escalate its budget and expend funds from any source
132 not to exceed Five Million Dollars (\$5,000,000.00) in accordance
133 with rules and regulations of the Department of Finance and
134 Administration in a manner consistent with the escalation of
135 federal funds.

136 **SECTION 9.** In compliance with the "Mississippi Performance
137 Budget and Strategic Planning Act of 1994," it is the intent of
138 the Legislature that the funds provided herein shall be utilized
139 in the most efficient and effective manner possible to achieve the
140 intended mission of this agency. Based on the funding authorized,
141 this agency shall make every effort to attain the targeted
142 performance measures provided below:

143		FY2006
144	<u>Performance Measures</u>	<u>Target</u>
145	Content Development	
146	Number of locally produced TV programs	18
147	Number of locally produced radio programs	17
148	Number of persons using other educational services	27,500
149	Technical Services	
150	Number of transmitters on air (Analog and DTV)	16
151	On air reliability (TV)	97
152	Activate multiple network delivery	3
153	Administration	
154	Increase number of web site users	100
155	Number of agency personnel provided training	17
156	A reporting of the degree to which the performance targets	
157	set above have been or are being achieved shall be provided in the	
158	agency's budget request submitted to the Joint Legislative Budget	
159	Committee for Fiscal Year 2007.	

160 **SECTION 10.** It is the intention of the Legislature that the
161 Executive Director of the Mississippi Authority for Educational
162 Television may increase major objects of expenditure in total
163 amounts not to exceed twenty-five percent (25%) of the
164 appropriated amount of each major object of expenditure, provided
165 that other major objects of expenditure are decreased by a
166 corresponding dollar amount and provided the Executive Director of
167 the Mississippi Department of Finance and Administration also
168 approves with written authorization. However, no transfers shall
169 be authorized which increase the major object of expenditure
170 "Salaries, Wages and Fringe Benefits."

171 **SECTION 11.** The money herein appropriated shall be paid by
172 the State Treasurer out of any money in the State Treasury to the
173 credit of the proper fund or funds as set forth in this act, upon
174 warrants issued by the State Fiscal Officer; and the State Fiscal
175 Officer shall issue his warrants upon requisitions signed by the
176 proper person, officer or officers, in the manner provided by law.

177 **SECTION 12.** This act shall take effect and be in force from
178 and after July 1, 2005.