

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1560: Appropriation; Mississippi Authority for Educational Television.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

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, 2006,
10 and ending June 30, 2007..... \$ 5,240,073.00.

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, 2006, and ending June 30, 2007.....
18 \$ 5,095,152.00.

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.. \$ 5,905,417.00

26	Travel and Subsistence.....	45,000.00
27	Contractual Services.....	3,940,211.00
28	Commodities.....	244,597.00
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.....	\$ 10,335,225.00
34	FUNDING:	
35	General Funds.....	\$ 5,240,073.00
36	Special Funds.....	<u>5,095,152.00</u>
37	Total.....	\$ 10,335,225.00

38 AUTHORIZED POSITIONS:

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

43 Funds are provided herein to adjust the Variable Compensation
44 Plan to ensure that all full-time employees receive a pay increase
45 equal to the realignment component of the Variable Compensation
46 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
47 with not more than one-half (1/2) to be awarded on July 1, 2006,
48 with the remainder to be awarded on January 1, 2007.

49 With the funds herein appropriated, it is the intention of
50 the Legislature that it shall be the agency's responsibility to
51 make certain that funds required to be appropriated for "Personal
52 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
53 funds appropriated for that purpose, unless programs or positions
54 are added to the agency's Fiscal Year 2008 budget by the
55 Mississippi Legislature. Based on data provided by the
56 Legislative Budget Office, the State Personnel Board shall
57 determine and publish the projected annual cost to fully fund all

58 appropriated positions in compliance with the provisions of this
59 act. It shall be the responsibility of the agency head to insure
60 that no single personnel action increases this projected annual
61 cost and/or the Fiscal Year 2007 appropriation for "Personal
62 Services" when annualized, with the exception of escalated funds.
63 If, at the time the agency takes any action to change "Personal
64 Services," the State Personnel Board determines that the agency
65 has taken an action which would cause the agency to exceed this
66 projected annual cost or the Fiscal Year 2007 "Personal Services"
67 appropriated level, when annualized, then only those actions which
68 reduce the projected annual cost and/or the appropriation
69 requirement will be processed by the State Personnel Board until
70 such time as the requirements of this provision are met.

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

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

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

89 **SECTION 4.** It is the intention of the Legislature that the
90 Mississippi Authority for Educational Television shall maintain
91 complete accounting and personnel records related to the
92 expenditure of all funds appropriated under this act and that such
93 records shall be in the same format and level of detail as
94 maintained for Fiscal Year 2006. It is further the intention of
95 the Legislature that the agency's budget request for Fiscal Year
96 2008 shall be submitted to the Joint Legislative Budget Committee
97 in a format and level of detail comparable to the format and level
98 of detail provided during the Fiscal Year 2007 budget request
99 process.

100 **SECTION 5.** Of the funds appropriated under the provisions of
101 Section 2, One Million Six Hundred Forty-four Thousand Sixty-seven
102 Dollars (\$1,644,067.00) shall be derived from the Education
103 Enhancement Fund deposited pursuant to Sections 27-65-75 and
104 27-67-31, Mississippi Code of 1972.

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

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

119 **SECTION 8.** It is the intention of the Legislature that the
120 Mississippi Authority for Educational Television shall have the

121 authority to escalate its budget and expend funds from any source
122 not to exceed Five Million Dollars (\$5,000,000.00) in accordance
123 with rules and regulations of the Department of Finance and
124 Administration in a manner consistent with the escalation of
125 federal funds.

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

	FY2007
<u>Performance Measures</u>	<u>Target</u>
135 Content Development	
136 Number of locally produced TV programs	18
137 Number of locally produced radio programs	17
138 Number of persons using other educational services	22,000
139 Technical Services	
140 Number of transmitters on air (Analog and DTV)	16
141 On air reliability (TV)	97
142 Activate multiple network delivery	3
143 Administration	
144 Increase number of web site users	400
145 Number of agency personnel provided training	17

146 A reporting of the degree to which the performance targets
147 set above have been or are being achieved shall be provided in the
148 agency's budget request submitted to the Joint Legislative Budget
149 Committee for Fiscal Year 2008.

150 **SECTION 10.** It is the intention of the Legislature that the
151 Executive Director of the Mississippi Authority for Educational
152 Television may increase major objects of expenditure in total

153 amounts not to exceed twenty-five percent (25%) of the
154 appropriated amount of each major object of expenditure, provided
155 that other major objects of expenditure are decreased by a
156 corresponding dollar amount and provided the Executive Director of
157 the Mississippi Department of Finance and Administration also
158 approves with written authorization. However, no transfers shall
159 be authorized which increase the major object of expenditure
160 "Salaries, Wages and Fringe Benefits."

161 **SECTION 11.** It is the intention of the Legislature that
162 whenever two (2) or more bids are received by this agency for the
163 purchase of commodities or equipment, and whenever all things
164 stated in such received bids are equal with respect to price,
165 quality and service, the Mississippi Industries for the Blind
166 shall be given preference. A similar preference shall be given to
167 the Mississippi Industries for the Blind whenever purchases are
168 made without competitive bids.

169 **SECTION 12.** It is the intention of the Legislature that an
170 amount equal to One Dollar and Fifty Cents (\$1.50) per square foot
171 shall be paid to the Executive Office of the State Board of
172 Institutions of Higher Learning to defray utility costs.

173 **SECTION 13.** Of the funds appropriated under the provisions
174 of Section 2, Four Hundred Seventy Thousand Dollars (\$470,000.00)
175 shall be derived from the Budget Contingency Fund created in
176 Section 27-103-301, Mississippi Code of 1972, for the purpose of
177 defraying the expenses of the Mississippi Authority for
178 Educational Television.

179 **SECTION 14.** The money herein appropriated shall be paid by
180 the State Treasurer out of any money in the State Treasury to the
181 credit of the proper fund or funds as set forth in this act, upon
182 warrants issued by the State Fiscal Officer; and the State Fiscal
183 Officer shall issue his warrants upon requisitions signed by the
184 proper person, officer or officers, in the manner provided by law.

185 **SECTION 15.** This act shall take effect and be in force from
186 and after July 1, 2006.

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Brown

X (SIGNED)
Straughter

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Dearing

X (SIGNED)
Jackson (15th)