

**Senate Amendments to House Bill No. 1560**

**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, 2006,  
10 and ending June 30, 2007..... \$       5,275,210.00.

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 ..... \$       4,509,366.00.

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..	\$	5,519,768.00
26           Travel and Subsistence.....		45,000.00
27           Contractual Services.....		3,775,211.00
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.....	\$ 9,784,576.00
34	FUNDING:	
35	General Funds.....	\$ 5,275,210.00
36	Special Funds.....	<u>4,509,366.00</u>
37	Total.....	\$ 9,784,576.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	112
40	Part Time.....	0
41	Time-Limited: Full Time.....	8
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 Twelve Hundred Dollars (\$1,200.00), whichever is greater,  
47 beginning on July 1, 2006.

48 Pursuant to policies established by the State Personnel  
49 Board, agency heads may, on a case by case basis and within funds  
50 available, recommend equity salary adjustments to Fiscal Year 2006  
51 agency appropriation acts where application of limitations result  
52 in awarding one employee a salary increase greater than another  
53 employee within the same agency, with the same job classification  
54 series and greater longevity.

55 With the funds herein appropriated, it is the intention of  
56 the Legislature that it shall be the agency's responsibility to  
57 make certain that funds required to be appropriated for "Personal  
58 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
59 funds appropriated for that purpose, unless programs or positions  
60 are added to the agency's Fiscal Year 2008 budget by the  
61 Mississippi Legislature. Based on data provided by the  
62 Legislative Budget Office, the State Personnel Board shall  
63 determine and publish the projected annual cost to fully fund all  
64 appropriated positions in compliance with the provisions of this  
65 act. It shall be the responsibility of the agency head to insure

66 that no single personnel action increases this projected annual  
67 cost and/or the Fiscal Year 2007 appropriation for "Personal  
68 Services" when annualized, with the exception of escalated funds.  
69 If, at the time the agency takes any action to change "Personal  
70 Services," the State Personnel Board determines that the agency  
71 has taken an action which would cause the agency to exceed this  
72 projected annual cost or the Fiscal Year 2007 "Personal Services"  
73 appropriated level, when annualized, then only those actions which  
74 reduce the projected annual cost and/or the appropriation  
75 requirement will be processed by the State Personnel Board until  
76 such time as the requirements of this provision are met.

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

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

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

95 **SECTION 4.** It is the intention of the Legislature that the  
96 Mississippi Authority for Educational Television shall maintain  
97 complete accounting and personnel records related to the  
98 expenditure of all funds appropriated under this act and that such  
99 records shall be in the same format and level of detail as  
100 maintained for Fiscal Year 2006. It is further the intention of

101 the Legislature that the agency's budget request for Fiscal Year  
102 2008 shall be submitted to the Joint Legislative Budget Committee  
103 in a format and level of detail comparable to the format and level  
104 of detail provided during the Fiscal Year 2007 budget request  
105 process.

106       **SECTION 5.** Of the funds appropriated under the provisions of  
107 Section 2, One Million Six Hundred Forty-four Thousand Sixty-seven  
108 Dollars (\$1,644,067.00) shall be derived from the Education  
109 Enhancement Fund deposited pursuant to Sections 27-65-75 and  
110 27-67-31, Mississippi Code of 1972.

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

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

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

132       **SECTION 9.** In compliance with the "Mississippi Performance  
133 Budget and Strategic Planning Act of 1994," it is the intent of  
134 the Legislature that the funds provided herein shall be utilized  
135 in the most efficient and effective manner possible to achieve the

136 intended mission of this agency. Based on the funding authorized,  
137 this agency shall make every effort to attain the targeted  
138 performance measures provided below:

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

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

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

167       **SECTION 11.** It is the intention of the Legislature that  
168 whenever two (2) or more bids are received by this agency for the  
169 purchase of commodities or equipment, and whenever all things  
170 stated in such received bids are equal with respect to price,

171 quality and service, the Mississippi Industries for the Blind  
172 shall be given preference. A similar preference shall be given to  
173 the Mississippi Industries for the Blind whenever purchases are  
174 made without competitive bids.

175         **SECTION 12.** The money herein appropriated shall be paid by  
176 the State Treasurer out of any money in the State Treasury to the  
177 credit of the proper fund or funds as set forth in this act, upon  
178 warrants issued by the State Fiscal Officer; and the State Fiscal  
179 Officer shall issue his warrants upon requisitions signed by the  
180 proper person, officer or officers, in the manner provided by law.

181         **SECTION 13.** This act shall take effect and be in force from  
182 and after July 1, 2006.

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John O. Gilbert  
Secretary of the Senate