

**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. 1687: 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, 2007,  
10 and ending June 30, 2008..... \$       6,649,795.00.

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, 2007, and ending June 30, 2008.....  
18 ..... \$       5,103,553.00.

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.. \$       6,517,703.00

26	Travel and Subsistence.....	75,000.00
27	Contractual Services.....	4,335,276.00
28	Commodities.....	308,562.00
29	Capital Outlay:	
30	Other Than Equipment.....	0.00
31	Equipment.....	200,000.00
32	Vehicles.....	62,000.00
33	Wireless Communication Devices.....	0.00
34	Subsidies, Loans and Grants.....	<u>254,807.00</u>
35	Total.....	\$ 11,753,348.00

36 FUNDING:

37	General Funds.....	\$ 6,649,795.00
38	Special Funds.....	<u>5,103,553.00</u>
39	Total.....	\$ 11,753,348.00

40 AUTHORIZED POSITIONS:

41	Permanent: Full Time.....	122
42	Part Time.....	0
43	Time-Limited: Full Time.....	8
44	Part Time.....	0

45 Funds are provided herein to adjust the Variable Compensation  
46 Plan to ensure that all full-time employees receive a pay increase  
47 equal to the realignment component of the Variable Compensation  
48 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
49 is greater, to be awarded on July 1, 2007.

50 With the funds herein appropriated, it is the intention of  
51 the Legislature that it shall be the agency's responsibility to  
52 make certain that funds required to be appropriated for "Personal  
53 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
54 funds appropriated for that purpose, unless programs or positions  
55 are added to the agency's Fiscal Year 2008 budget by the  
56 Mississippi Legislature. Based on data provided by the  
57 Legislative Budget Office, the State Personnel Board shall

58 determine and publish the projected annual cost to fully fund all  
59 appropriated positions in compliance with the provisions of this  
60 act. It shall be the responsibility of the agency head to insure  
61 that no single personnel action increases this projected annual  
62 cost and/or the Fiscal Year 2008 appropriations for "Personal  
63 Services" when annualized, with the exception of escalated funds  
64 and educational benchmarks. If, at the time the agency takes any  
65 action to change "Personal Services", the State Personnel Board  
66 determines that the agency has taken an action which would cause  
67 the agency to exceed this projected annual cost or the Fiscal Year  
68 2008 "Personal Services" appropriated level, when annualized, then  
69 only those actions which reduce the projected annual cost and/or  
70 the appropriation requirement will be processed by the State  
71 Personnel Board until such time as the requirements of this  
72 provision are met. On January 1, 2008, the State Personnel Board  
73 will make adjustments to the structure side of the compliance  
74 report based on data provided by the Legislative Budget Office in  
75 order for agencies to award educational benchmarks.

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

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

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

94 **SECTION 4.** It is the intention of the Legislature that the  
95 Mississippi Authority for Educational Television shall maintain  
96 complete accounting and personnel records related to the  
97 expenditure of all funds appropriated under this act and that such  
98 records shall be in the same format and level of detail as  
99 maintained for Fiscal Year 2007. It is further the intention of  
100 the Legislature that the agency's budget request for Fiscal Year  
101 2009 shall be submitted to the Joint Legislative Budget Committee  
102 in a format and level of detail comparable to the format and level  
103 of detail provided during the Fiscal Year 2008 budget request  
104 process.

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

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

118 **SECTION 7.** It is the intention of the Legislature that the  
119 Mississippi Authority for Educational Television shall have the  
120 authority to expend funds in the Capital Equipment Replacement

121 Revolving Fund, in accordance with Section 37-63-17, Mississippi  
122 Code of 1972, for the purpose of purchasing technical equipment  
123 for operating the educational radio and television facilities.

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

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

	FY2008
<u>Performance Measures</u>	<u>Target</u>
140 Content Development	
141       Number of locally produced TV programs	23
142       Number of locally produced radio programs	30
143       Number of persons using other educational services	25,000
144 Technical Services	
145       Number of transmitters on air (Analog and DTV)	16
146       On air reliability (TV)	97
147       Activate multiple network delivery	3
148 Administration	
149       Increase number of web site users	1,400
150       Number of agency personnel provided training	35
151       A reporting of the degree to which the performance targets	
152 set above have been or are being achieved shall be provided in the	

153 agency's budget request submitted to the Joint Legislative Budget  
154 Committee for Fiscal Year 2009.

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

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

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

178         **SECTION 13.** The money herein appropriated shall be paid by  
179 the State Treasurer out of any money in the State Treasury to the  
180 credit of the proper fund or funds as set forth in this act, upon  
181 warrants issued by the State Fiscal Officer; and the State Fiscal  
182 Officer shall issue his warrants upon requisitions signed by the  
183 proper person, officer or officers, in the manner provided by law.

184           **SECTION 14.** This act shall take effect and be in force from  
185 and after July 1, 2007.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 2008.

CONFEREES FOR THE HOUSE

X (SIGNED)  
Stringer

X (SIGNED)  
Brown

X (SIGNED)  
Hudson

CONFEREES FOR THE SENATE

X (SIGNED)  
Gordon

X (SIGNED)  
Dearing

X (SIGNED)  
Jackson (15th)