

Senate Amendments to House Bill No. 1687

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, 2007,
10 and ending June 30, 2008..... \$ 6,015,242.00.

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 \$ 5,099,962.00.

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.. \$ 6,082,286.00

26 Travel and Subsistence..... 75,000.00

27 Contractual Services..... 4,441,388.00

28 Commodities..... 366,530.00

29 Capital Outlay:

30 Other Than Equipment..... 0.00

31	Equipment.....	150,000.00
32	Vehicles.....	0.00
33	Wireless Communication Devices.....	0.00
34	Subsidies, Loans and Grants.....	<u>0.00</u>
35	Total.....	\$ 11,115,204.00

36 FUNDING:

37	General Funds.....	\$ 6,015,242.00
38	Special Funds.....	<u>5,099,962.00</u>
39	Total.....	\$ 11,115,204.00

40 AUTHORIZED POSITIONS:

41	Permanent: Full Time.....	119
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 Dollars (\$1,000.00), or Three Percent (3%)
49 whichever 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 2009 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 appropriation for "Personal
63 Services" when annualized, with the exception of escalated funds.
64 If, at the time the agency takes any action to change "Personal
65 Services," the State Personnel Board determines that the agency

66 has taken an action which would cause the agency to exceed this
67 projected annual cost or the Fiscal Year 2008 "Personal Services"
68 appropriated level, when annualized, then only those actions which
69 reduce the projected annual cost and/or the appropriation
70 requirement will be processed by the State Personnel Board until
71 such time as the requirements of this provision are met.

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

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84 act and which are withdrawn and no longer available.

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

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

106 **SECTION 4.** It is the intention of the Legislature that the
107 Mississippi Authority for Educational Television shall maintain
108 complete accounting and personnel records related to the
109 expenditure of all funds appropriated under this act and that such
110 records shall be in the same format and level of detail as
111 maintained for Fiscal Year 2007. It is further the intention of
112 the Legislature that the agency's budget request for Fiscal Year
113 2009 shall be submitted to the Joint Legislative Budget Committee
114 in a format and level of detail comparable to the format and level
115 of detail provided during the Fiscal Year 2008 budget request
116 process.

117 **SECTION 5.** Of the funds appropriated under the provisions of
118 Section 2, One Million Six Hundred Forty-four Thousand Sixty-seven
119 Dollars (\$1,644,067.00) shall be derived from the Education
120 Enhancement Fund deposited pursuant to Sections 27-65-75 and
121 27-67-31, Mississippi Code of 1972.

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

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

136 **SECTION 8.** It is the intention of the Legislature that the
 137 Mississippi Authority for Educational Television shall have the
 138 authority to escalate its budget and expend funds from any source
 139 not to exceed Five Million Dollars (\$5,000,000.00) in accordance
 140 with rules and regulations of the Department of Finance and
 141 Administration in a manner consistent with the escalation of
 142 federal funds.

143 **SECTION 9.** In compliance with the "Mississippi Performance
 144 Budget and Strategic Planning Act of 1994," it is the intent of
 145 the Legislature that the funds provided herein shall be utilized
 146 in the most efficient and effective manner possible to achieve the
 147 intended mission of this agency. Based on the funding authorized,
 148 this agency shall make every effort to attain the targeted
 149 performance measures provided below:

150	FY2008
151 <u>Performance Measures</u>	<u>Target</u>
152 Content Development	
153 Number of locally produced TV programs	23
154 Number of locally produced radio programs	30
155 Number of persons using other educational services	25,000
156 Technical Services	
157 Number of transmitters on air (Analog and DTV)	16
158 On air reliability (TV)	97
159 Activate multiple network delivery	3
160 Administration	
161 Increase number of web site users	1400
162 Number of agency personnel provided training	35

163 A reporting of the degree to which the performance targets
 164 set above have been or are being achieved shall be provided in the
 165 agency's budget request submitted to the Joint Legislative Budget
 166 Committee for Fiscal Year 2009.

167 **SECTION 10.** It is the intention of the Legislature that the
 168 Executive Director of the Mississippi Authority for Educational
 169 Television may increase major objects of expenditure in total
 170 amounts not to exceed twenty-five percent (25%) of the

171 appropriated amount of each major object of expenditure, provided
172 that other major objects of expenditure are decreased by a
173 corresponding dollar amount and provided the Executive Director of
174 the Mississippi Department of Finance and Administration also
175 approves with written authorization. However, no transfers shall
176 be authorized which increase the major object of expenditure
177 "Salaries, Wages and Fringe Benefits."

178 **SECTION 11.** It is the intention of the Legislature that
179 whenever two (2) or more bids are received by this agency for the
180 purchase of commodities or equipment, and whenever all things
181 stated in such received bids are equal with respect to price,
182 quality and service, the Mississippi Industries for the Blind
183 shall be given preference. A similar preference shall be given to
184 the Mississippi Industries for the Blind whenever purchases are
185 made without competitive bids.

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

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

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

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John O. Gilbert
Secretary of the Senate