

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1687**

**BY: Committee**

**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

means to increase salaries of employees or positions unless specifically exempted by the following conditions: the award of teacher pay increases, the advancement of a trainee/cadet to the next level of a bona fide career ladder, the award of an educational benchmark for the attainment of Certified Public Accountant License or higher level professional certification as determined by the State Personnel Board, the immediate replacement of a departing employee with an individual from within state service or a new hire at a salary level equivalent to that of the departing employee, and the emergency appointment of nurses, pharmacists or other health care professionals at a salary to be determined by the State Personnel Board, unless otherwise 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 2007. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2009 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 2008 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

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.