

Senate Amendments to House Bill No. 1702

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Mississippi Authority for Educational Television
9 for the fiscal year beginning July 1, 2020, and ending
10 June 30, 2021.....\$ 3,847,431.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Mississippi Authority for
14 Educational Television which is comprised of special source funds
15 collected by or otherwise available to the Authority, for the
16 purpose of defraying the expenses of the Authority for the fiscal
17 year beginning July 1, 2020, and ending June 30, 2021.....
18\$ 8,241,301.00.

19 **SECTION 3.** Of the funds appropriated under the provisions of
20 Section 1 and Section 2, the following positions are authorized:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time.....	86
23		Part Time.....	0
24	Time-Limited:	Full Time.....	11
25		Part Time.....	0

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required to be
28 appropriated for "Personal Services" for Fiscal Year 2022 do not
29 exceed Fiscal Year 2021 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2021 budget by the Mississippi Legislature. Based on data
32 provided by the Legislative Budget Office, the State Personnel
33 Board shall determine and publish the projected annual cost to
34 fully fund all appropriated positions in compliance with the
35 provisions of this act. It shall be the responsibility of the
36 agency head to ensure that no single personnel action increases
37 this projected annual cost and/or the Fiscal Year 2021
38 appropriations for "Personal Services" when annualized, with the
39 exception of escalated funds and the award of benchmarks. If, at
40 the time the agency takes any action to change "Personal
41 Services," the State Personnel Board determines that the agency
42 has taken an action which would cause the agency to exceed this
43 projected annual cost or the Fiscal Year 2021 "Personal Services"
44 appropriated level, when annualized, then only those actions which
45 reduce the projected annual cost and/or the appropriation
46 requirement will be processed by the State Personnel Board until
47 such time as the requirements of this provision are met.

48 Any transfers or escalations shall be made in accordance with
49 the terms, conditions and procedures established by law or
50 allowable under the terms set forth within this act. The State
51 Personnel Board shall not escalate positions without written
52 approval from the Department of Finance and Administration. The
53 Department of Finance and Administration shall not provide written
54 approval to escalate any funds for salaries and/or positions
55 without proof of availability of new or additional funds above the
56 appropriated level.

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

61 None of the funds herein appropriated shall be used in
62 violation of Internal Revenue Service's Publication 15-A relating
63 to the reporting of income paid to contract employees, as
64 interpreted by the Office of the State Auditor.

65 Funds appropriated herein shall first be used for the
66 continuation of a full and complete broadcast schedule of
67 educational and instructional, professional growth, and public
68 service programs, with the production of new films and programs to
69 be secondary thereto.

70 **SECTION 4.** It is the intention of the Legislature that the
71 Mississippi Authority for Educational Television shall maintain
72 complete accounting and personnel records related to the
73 expenditure of all funds appropriated under this act and that such

74 records shall be in the same format and level of detail as
75 maintained for Fiscal Year 2020. It is further the intention of
76 the Legislature that the agency's budget request for Fiscal Year
77 2022 shall be submitted to the Joint Legislative Budget Committee
78 in a format and level of detail comparable to the format and level
79 of detail provided during the Fiscal Year 2021 budget request
80 process.

81 **SECTION 5.** Of the funds appropriated under the provisions of
82 Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred
83 Sixty-six Dollars (\$2,118,966.00) shall be derived from the
84 Education Enhancement Fund deposited pursuant to Sections 27-65-75
85 and 27-67-31, Mississippi Code of 1972.

86 **SECTION 6.** No part of the funds appropriated herein shall be
87 transferred to, expended by, or used, directly or indirectly, for
88 the benefit of any public relations, publicity or publication
89 activities of any other state agency, department or officer, nor
90 shall any personnel paid or equipment purchased with funds
91 appropriated hereby be transferred or assigned to any other state
92 agency, department or officer for public relations, publicity or
93 publication activities of such office.

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

100 **SECTION 8.** In compliance with the "Mississippi Performance
 101 Budget and Strategic Planning Act of 1994," it is the intent of
 102 the Legislature that the funds provided herein shall be utilized
 103 in the most efficient and effective manner possible to achieve the
 104 intended mission of this agency. Based on the funding authorized,
 105 this agency shall make every effort to attain the targeted
 106 performance measures provided below:

107	FY2021
108 <u>Performance Measures</u>	<u>Target</u>
109 Content Operations	
110 Locally produced TV programs (Number of)	150
111 Locally produced radio programs (Number of)	1,092
112 Weekly average number of web site users	
113 (Number of)	4,500
114 Prior promotion of all storms/disasters (%)	100.00
115 Students & schools participating in MPB	
116 Arts in Education Programming (Number	
117 of)	10
118 New programs produced and broadcast	
119 related to Fit to Eat programming	
120 (Number of)	13
121 Radio and TV coverage during times of	
122 emergency (%)	100.00
123 Education Services	
124 Teachers using Digital Education Network	
125 (DEN) Classroom (Number of)	1,800

126	Increase in parents/teachers using MPB	
127	online Resources for Pre-K children (%)	10.00
128	Increase in high school students using	
129	the Learning Network (%)	5.00
130	Rotary clubs sponsoring with MPB (Number of)	20
131	Childcare centers using Between the	
132	Lions Initiative (Number of)	30
133	Children using Between the Lions	
134	Preschool Literacy (Number of)	300
135	Technical Services	
136	Increase visitors viewing the Healthy	
137	Living related items on MPB Site (%)	31.00
138	Transmitters on air (Number of)	8
139	On-air reliability (%)	99.95
140	IT Help Desk orders filled (Number of)	600
141	Cost to deliver technical services for	
142	Radio, TV, and other educational	
143	services (\$)	3,018,000.00
144	Administration	
145	Community engagements/outreach events	
146	(Number of)	125
147	Increase state agencies partnered with	
148	(Number of)	40
149	New grant dollars acquired (\$)	75,000.00
150	A reporting of the degree to which the performance targets	
151	set above have been or are being achieved shall be provided in the	

152 agency's budget request submitted to the Joint Legislative Budget
153 Committee for Fiscal Year 2022.

154 **SECTION 9.** It is the intention of the Legislature that
155 whenever two (2) or more bids are received by this agency for the
156 purchase of commodities or equipment, and whenever all things
157 stated in such received bids are equal with respect to price,
158 quality and service, the Mississippi Industries for the Blind
159 shall be given preference. A similar preference shall be given to
160 the Mississippi Industries for the Blind whenever purchases are
161 made without competitive bids.

162 **SECTION 10.** It is the intention of the Legislature that an
163 amount equal to One Dollar and Fifty Cents (\$1.50) per square foot
164 shall be paid to the Executive Office of the State Board of
165 Institutions of Higher Learning to defray utility costs.

166 **SECTION 11.** It is the intention of the Legislature that the
167 Authority for Educational Television may fund a program to focus
168 on the manufacturing industry in Mississippi.

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

175 **SECTION 13.** This act shall take effect and be in force from
176 and after July 1, 2020, and shall stand repealed June 30, 2020.

SS05\HB1702A.J

Eugene S. Clarke
Secretary of the Senate