

By: Representatives Read, Bennett, Banks,
Barton, Boyd, Busby, Clark, Clarke, Criswell,
Currie, Eure, Haney, Jackson, Sanford,
Watson, Young

To: Appropriations

HOUSE BILL NO. 1388
(As Sent to Governor)

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 2022.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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, 2021, and ending
10 June 30, 2022 \$ 3,986,808.00.

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, 2021, and ending June 30, 2022.....
18 \$ 8,916,173.00.



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 | 9 |
| 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 2023 do not
29 exceed Fiscal Year 2022 funds appropriated for that purpose unless
30 programs or positions are added to the agency's Fiscal Year 2022
31 budget by the Mississippi Legislature. Based on data provided by
32 the Legislative Budget Office, the State Personnel Board shall
33 determine and publish the projected annual cost to fully fund all
34 appropriated positions in compliance with the provisions of this
35 act. Absent a special situation or circumstance approved by the
36 State Personnel Board, or unless otherwise authorized by this act,
37 no state agency shall take any action to promote or otherwise
38 award salary increases through reallocation or realignment. If
39 the State Personnel Board determines a special situation or
40 circumstance exists and approves an action, then the agency and
41 the State Personnel Board shall provide a monthly report of each
42 action approved by the State Personnel Board to the chairmen of
43 the Accountability, Efficiency and Transparency Committees of the



44 Senate and House of Representatives and the chairmen of the
45 Appropriations Committees of the Senate and House of
46 Representatives. It shall be the responsibility of the agency
47 head to ensure that no single personnel action increases this
48 projected annual cost and/or the Fiscal Year 2022 appropriations
49 for "Personal Services" when annualized, with the exception of
50 escalated funds and the award of benchmarks. If, at the time the
51 agency takes any action to change "Personal Services," the State
52 Personnel Board determines that the agency has taken an action
53 which would cause the agency to exceed this projected annual cost
54 or the Fiscal Year 2022 "Personal Services" appropriated level,
55 when annualized, then only those actions which reduce the
56 projected annual cost and/or the appropriation requirement will be
57 processed by the State Personnel Board until such time as the
58 requirements of this provision are met.

59 Any transfers or escalations shall be made in accordance with
60 the terms, conditions and procedures established by law or
61 allowable under the terms set forth within this act. The State
62 Personnel Board shall not escalate positions without written
63 approval from the Department of Finance and Administration. The
64 Department of Finance and Administration shall not provide written
65 approval to escalate any funds for salaries and/or positions
66 without proof of availability of new or additional funds above the
67 appropriated level.



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

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

76 Funds have been appropriated herein for the purpose of
77 implementation and funding Project SEC2 of the Colonel Guy Groff
78 State Variable Compensation Plan beginning January 1, 2022, and
79 ending June 30, 2022. It shall be the agency's responsibility to
80 make certain that each person, excluding executive directors,
81 agency heads, and elected judges, shall receive no more than a 3%
82 annual increase in salary which shall not exceed the market rate
83 established by the State Personnel Board pursuant to the Colonel
84 Guy Groff State Variable Compensation Plan for each
85 classification.

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

91 **SECTION 4.** It is the intention of the Legislature that the
92 Mississippi Authority for Educational Television shall maintain



93 complete accounting and personnel records related to the
94 expenditure of all funds appropriated under this act and that such
95 records shall be in the same format and level of detail as
96 maintained for Fiscal Year 2021. It is further the intention of
97 the Legislature that the agency's budget request for Fiscal Year
98 2023 shall be submitted to the Joint Legislative Budget Committee
99 in a format and level of detail comparable to the format and level
100 of detail provided during the Fiscal Year 2022 budget request
101 process.

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

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

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



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

121 **SECTION 8.** In compliance with the "Mississippi Performance
122 Budget and Strategic Planning Act of 1994," it is the intent of
123 the Legislature that the funds provided herein shall be utilized
124 in the most efficient and effective manner possible to achieve the
125 intended mission of this agency. Based on the funding authorized,
126 this agency shall make every effort to attain the targeted
127 performance measures provided below:

| | FY2022 |
|--|---------------|
| <u>Performance Measures</u> | <u>Target</u> |
| 130 Content Operations | |
| 131 Locally produced TV programs (Number of) | 150 |
| 132 Locally produced radio programs (Number of) | 1,092 |
| 133 Monthly average number of web site users | |
| 134 (Number of) | 4,500 |
| 135 New programs produced and broadcast | |
| 136 related to Fit to Eat programming | |
| 137 (Number of) | 13 |
| 138 Increase in visitors viewing the Healthy | |
| 139 Living related items on MPB site (%) | 31.00 |
| 140 Radio broadcasts and TV alerts during | |
| 141 times of emergency (%) | 100.00 |
| 142 Education Services | |



| | | |
|-----|--|-------|
| 143 | Increase in users using MPB Education | |
| 144 | online resources for Pre-K children and | |
| 145 | families (%) | 15.00 |
| 146 | Students served by the Digital Education | |
| 147 | Network (DEN) Classroom (Number of) | 2,000 |
| 148 | School Districts participating in the | |
| 149 | DEN Classroom (Number of) | 30 |
| 150 | Teachers taking e-Learning courses | |
| 151 | (Number of) | 1,200 |
| 152 | Teacher Continuing Education Units | |
| 153 | (CEUs) provided by e-Learning courses | |
| 154 | offered (Number of) | 400 |
| 155 | Increase of visitors to the MPB | |
| 156 | Education website (%) | 20.00 |
| 157 | Rotary clubs sponsoring with MPB (Number of) | 20 |
| 158 | Early childhood educators attending MPB | |
| 159 | resource workshops involving PBS and MPB | |
| 160 | programs/content (Number of) | 250 |
| 161 | Childcare centers using PBS content | |
| 162 | (Number of) | 30 |
| 163 | Parents participating in Parents Are | |
| 164 | Teachers Too (PATT) initiative (Number | |
| 165 | of) | 300 |
| 166 | Technical Services | |
| 167 | Transmitters on air (Number of) | 8 |



| | | |
|-----|--|-----------|
| 168 | On-air reliability (%) | 99.95 |
| 169 | IT Help Desk orders filled (Number of) | 600 |
| 170 | Administration | |
| 171 | Community engagements/outreach events | |
| 172 | including virtual engagements (Number | |
| 173 | of) | 125 |
| 174 | State agency partners (Number of) | 40 |
| 175 | New grant dollars acquired (\$) | 75,000.00 |

176 A reporting of the degree to which the performance targets
177 set above have been or are being achieved shall be provided in the
178 agency's budget request submitted to the Joint Legislative Budget
179 Committee for Fiscal Year 2023.

180 **SECTION 9.** It is the intention of the Legislature that
181 whenever two (2) or more bids are received by this agency for the
182 purchase of commodities or equipment, and whenever all things
183 stated in such received bids are equal with respect to price,
184 quality and service, the Mississippi Industries for the Blind
185 shall be given preference. A similar preference shall be given to
186 the Mississippi Industries for the Blind whenever purchases are
187 made without competitive bids.

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



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

195 **SECTION 12.** Of the funds in Section 2, the following sum, or
196 so much thereof as may be necessary, is appropriated out of any
197 money in the State Treasury to the credit of the Capital Expense
198 Fund, for the purpose of tower maintenance and upgrades of the
199 Educational Television Authority for the fiscal year beginning
200 July 1, 2021, and ending June 30, 2022.....\$ 2,000,000.00.

201 **SECTION 13.** Mississippi Authority for Educational Television
202 is authorized to accept and expend any grant, donation, or
203 contribution from any individual, public, or private organization,
204 or government entity for purposes of defraying the operational
205 costs of the department. Such grants, donations or contributions
206 shall be received and expended under the rules and regulations of
207 the Department of Finance and Administration in a manner
208 consistent with the escalation of federal funds not to exceed Two
209 Million Dollars (\$2,000,000.00).

210 **SECTION 14.** The money herein appropriated shall be paid by
211 the State Treasurer out of any money in the State Treasury to the
212 credit of the proper fund or funds as set forth in this act, upon
213 warrants issued by the State Fiscal Officer; and the State Fiscal
214 Officer shall issue his warrants upon requisitions signed by the
215 proper person, officer or officers, in the manner provided by law.



216 **SECTION 15.** This act shall take effect and be in force from
217 and after July 1, 2021.

