

Senate Amendments to House Bill No. 1388

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, 2021, and ending
10 June 30, 2022.....\$ 3,811,426.00.

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\$ 6,898,556.00.

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.....	78
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 appropriated herein shall first be used for the
77 continuation of a full and complete broadcast schedule of
78 educational and instructional, professional growth, and public
79 service programs, with the production of new films and programs to
80 be secondary thereto.

81 **SECTION 4.** It is the intention of the Legislature that the
82 Mississippi Authority for Educational Television shall maintain
83 complete accounting and personnel records related to the
84 expenditure of all funds appropriated under this act and that such
85 records shall be in the same format and level of detail as
86 maintained for Fiscal Year 2021. It is further the intention of
87 the Legislature that the agency's budget request for Fiscal Year
88 2023 shall be submitted to the Joint Legislative Budget Committee
89 in a format and level of detail comparable to the format and level
90 of detail provided during the Fiscal Year 2022 budget request
91 process.

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

97 **SECTION 6.** No part of the funds appropriated herein shall be
98 transferred to, expended by, or used, directly or indirectly, for
99 the benefit of any public relations, publicity or publication

100 activities of any other state agency, department or officer, nor
101 shall any personnel paid or equipment purchased with funds
102 appropriated hereby be transferred or assigned to any other state
103 agency, department or officer for public relations, publicity or
104 publication activities of such office.

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

111 **SECTION 8.** In compliance with the "Mississippi Performance
112 Budget and Strategic Planning Act of 1994," it is the intent of
113 the Legislature that the funds provided herein shall be utilized
114 in the most efficient and effective manner possible to achieve the
115 intended mission of this agency. Based on the funding authorized,
116 this agency shall make every effort to attain the targeted
117 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Content Operations	
Locally produced TV programs (Number of)	150
Locally produced radio programs (Number of)	1,092
Weekly average number of web site users (Number of)	4,500
Prior promotion of all storms/disasters (%)	100.00

126	Students & schools participating in MPB	
127	Arts in Education Programming (Number	
128	of)	10
129	New programs produced and broadcast	
130	related to Fit to Eat programming	
131	(Number of)	13
132	Radio and TV coverage during times of	
133	emergency (%)	100.00
134	Education Services	
135	Teachers using Digital Education Network	
136	(DEN) Classroom (Number of)	1,800
137	Increase in parents/teachers using MPB	
138	online Resources for Pre-K children (%)	10.00
139	Increase in high school students using	
140	the Learning Network (%)	5.00
141	Rotary clubs sponsoring with MPB (Number of)	20
142	Childcare centers using Between the	
143	Lions Initiative (Number of)	30
144	Children using Between the Lions	
145	Preschool Literacy (Number of)	300
146	Technical Services	
147	Increase in visitors viewing the Healthy	
148	Living related items on MPB site (%)	31.00
149	Transmitters on air (Number of)	8
150	On-air reliability (%)	99.95
151	IT Help Desk orders filled (Number of)	600

152 Cost to deliver technical services for
153 Radio, TV, and other educational
154 services (\$) 3,018,000.00

155 Administration

156 Community engagements/outreach events
157 (Number of) 125

158 Increase state agencies partnered with
159 (Number of) 40

160 New grant dollars acquired (\$) 75,000.00

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

165 **SECTION 9.** It is the intention of the Legislature that
166 whenever two (2) or more bids are received by this agency for the
167 purchase of commodities or equipment, and whenever all things
168 stated in such received bids are equal with respect to price,
169 quality and service, the Mississippi Industries for the Blind
170 shall be given preference. A similar preference shall be given to
171 the Mississippi Industries for the Blind whenever purchases are
172 made without competitive bids.

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

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

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

186 **SECTION 13.** This act shall take effect and be in force from
187 and after July 1, 2021, and shall stand repealed June 29, 2021.

**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 2022.

SS15\HB1388A.J

Eugene S. Clarke
Secretary of the Senate