

By: Representatives Brown, Broomfield,
Dickson, Hudson, Markham, Peranich,
Straughter, Warren, Weathersby

To: Appropriations

HOUSE BILL NO. 1687
(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 2008.

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 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..... \$ 6,649,795.00.

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 \$ 5,103,553.00.

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.. \$ 6,517,703.00
26 Travel and Subsistence..... 75,000.00
27 Contractual Services..... 4,335,276.00

28	Commodities.....		308,562.00
29	Capital Outlay:		
30	Other Than Equipment.....		0.00
31	Equipment.....		200,000.00
32	Vehicles.....		62,000.00
33	Wireless Communication Devices.....		0.00
34	Subsidies, Loans and Grants.....		<u>254,807.00</u>
35	Total.....	\$	11,753,348.00
36	FUNDING:		
37	General Funds.....	\$	6,649,795.00
38	Special Funds.....		<u>5,103,553.00</u>
39	Total.....	\$	11,753,348.00

40 AUTHORIZED POSITIONS:

41	Permanent:	Full Time.....	122
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 Five Hundred Dollars (\$1,500.00), whichever
49 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 2008 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 appropriations for "Personal
63 Services" when annualized, with the exception of escalated funds
64 and educational benchmarks. If, at the time the agency takes any
65 action to change "Personal Services", the State Personnel Board
66 determines that the agency has taken an action which would cause
67 the agency to exceed this projected annual cost or the Fiscal Year
68 2008 "Personal Services" appropriated level, when annualized, then
69 only those actions which reduce the projected annual cost and/or
70 the appropriation requirement will be processed by the State
71 Personnel Board until such time as the requirements of this
72 provision are met. On January 1, 2008, the State Personnel Board
73 will make adjustments to the structure side of the compliance
74 report based on data provided by the Legislative Budget Office in
75 order for agencies to award educational benchmarks.

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

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

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

94 **SECTION 4.** It is the intention of the Legislature that the
95 Mississippi Authority for Educational Television shall maintain
96 complete accounting and personnel records related to the
97 expenditure of all funds appropriated under this act and that such
98 records shall be in the same format and level of detail as
99 maintained for Fiscal Year 2007. It is further the intention of
100 the Legislature that the agency's budget request for Fiscal Year
101 2009 shall be submitted to the Joint Legislative Budget Committee
102 in a format and level of detail comparable to the format and level
103 of detail provided during the Fiscal Year 2008 budget request
104 process.

105 **SECTION 5.** Of the funds appropriated under the provisions of
106 Section 2, One Million Six Hundred Forty-four Thousand Sixty-seven
107 Dollars (\$1,644,067.00) shall be derived from the Education
108 Enhancement Fund deposited pursuant to Sections 27-65-75 and
109 27-67-31, Mississippi Code of 1972.

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

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

124 **SECTION 8.** It is the intention of the Legislature that the
125 Mississippi Authority for Educational Television shall have the
126 authority to escalate its budget and expend funds from any source

127 not to exceed Five Million Dollars (\$5,000,000.00) in accordance
128 with rules and regulations of the Department of Finance and
129 Administration in a manner consistent with the escalation of
130 federal funds.

131 **SECTION 9.** In compliance with the "Mississippi Performance
132 Budget and Strategic Planning Act of 1994," it is the intent of
133 the Legislature that the funds provided herein shall be utilized
134 in the most efficient and effective manner possible to achieve the
135 intended mission of this agency. Based on the funding authorized,
136 this agency shall make every effort to attain the targeted
137 performance measures provided below:

	FY2008
<u>Performance Measures</u>	<u>Target</u>
Content Development	
Number of locally produced TV programs	23
Number of locally produced radio programs	30
Number of persons using other educational services	25,000
Technical Services	
Number of transmitters on air (Analog and DTV)	16
On air reliability (TV)	97
Activate multiple network delivery	3
Administration	
Increase number of web site users	1,400
Number of agency personnel provided training	35

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

155 **SECTION 10.** It is the intention of the Legislature that the
156 Executive Director of the Mississippi Authority for Educational
157 Television may increase major objects of expenditure in total
158 amounts not to exceed twenty-five percent (25%) of the
159 appropriated amount of each major object of expenditure, provided

160 that other major objects of expenditure are decreased by a
161 corresponding dollar amount and provided the Executive Director of
162 the Mississippi Department of Finance and Administration also
163 approves with written authorization. However, no transfers shall
164 be authorized which increase the major object of expenditure
165 "Salaries, Wages and Fringe Benefits."

166 **SECTION 11.** It is the intention of the Legislature that
167 whenever two (2) or more bids are received by this agency for the
168 purchase of commodities or equipment, and whenever all things
169 stated in such received bids are equal with respect to price,
170 quality and service, the Mississippi Industries for the Blind
171 shall be given preference. A similar preference shall be given to
172 the Mississippi Industries for the Blind whenever purchases are
173 made without competitive bids.

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

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

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