

**House Amendments to Senate Bill No. 3033**

**TO THE SECRETARY OF THE SENATE:**

**THIS IS TO INFORM YOU THAT THE HOUSE 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:**

6           **SECTION 1.** The following sum of money, or so much thereof as  
7 may be necessary, is hereby appropriated out of any money in the  
8 State Treasury to the credit of the Mississippi Fair Commission  
9 for the purpose of defraying the expenses of said Mississippi Fair  
10 Commission, the Mississippi Livestock Coliseum, the Industrial  
11 Showcase, the Trade Mart Building and for the purpose of paying  
12 any indebtedness which may accrue for the period beginning  
13 July 1, 2006, and ending June 30, 2007..... \$       3,994,057.00.

14           **SECTION 2.** Of the funds appropriated under the provisions of  
15 Section 1, not more than the amounts set forth below shall be  
16 expended for the respective major objects or purposes of  
17 expenditure:

18           **MAJOR OBJECTS OF EXPENDITURE:**

19           Personal Services:

20                 Salaries, Wages and Fringe Benefits..	\$	1,368,707.00
21                 Travel and Subsistence.....		6,000.00
22                 Contractual Services.....		2,071,350.00
23                 Commodities.....		225,000.00
24           Capital Outlay:		
25                 Other Than Equipment.....		0.00
26                 Equipment.....		91,000.00
27                 Subsidies, Loans and Grants.....		<u>232,000.00</u>
28                 Total.....	\$	3,994,057.00

29           **AUTHORIZED POSITIONS:**

30           Permanent:	Full Time.....	10
31                                 Part Time.....		42

32           Time-Limited: Full Time.....           0  
33                            Part Time.....           0

34           For the fiscal year beginning on July 1, 2006, funds are  
35 provided herein to adjust the annual compensation of each employee  
36 who has been employed for twelve (12) months or longer by an  
37 amount equal to One Thousand Dollars (\$1,000.00), effective on  
38 July 1, 2006.

39           With the funds herein appropriated, it is the intention of  
40 the Legislature that it shall be the agency's responsibility to  
41 make certain that funds required to be appropriated for "Personal  
42 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
43 funds appropriated for that purpose, unless programs or positions  
44 are added to the agency's Fiscal Year 2008 budget by the  
45 Mississippi Legislature. Based on data provided by the  
46 Legislative Budget Office, the State Personnel Board shall  
47 determine and publish the projected annual cost to fully fund all  
48 appropriated positions in compliance with the provisions of this  
49 act. It shall be the responsibility of the agency head to insure  
50 that no single personnel action increases this projected annual  
51 cost and/or the Fiscal Year 2007 appropriation for "Personal  
52 Services" when annualized, with the exception of escalated funds.  
53 If, at the time the agency takes any action to change "Personal  
54 Services," the State Personnel Board determines that the agency  
55 has taken an action which would cause the agency to exceed this  
56 projected annual cost or the Fiscal Year 2007 "Personal Services"  
57 appropriated level, when annualized, then only those actions which  
58 reduce the projected annual cost and/or the appropriation  
59 requirement will be processed by the State Personnel Board until  
60 such time as the requirements of this provision are met.

61           Any transfers or escalations shall be made in accordance with  
62 the terms, conditions and procedures established by law or  
63 allowable under the terms set forth within this act. The State  
64 Personnel Board shall not escalate positions without written  
65 approval from the Department of Finance and Administration. The  
66 Department of Finance and Administration shall not provide written

67 approval to escalate any funds for salaries and/or positions  
68 without proof of availability of new or additional funds above the  
69 appropriated level.

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

74 **SECTION 3.** No operation, maintenance or service contracts,  
75 agreements or obligations for commodities, concessions, or  
76 catering services, shall be entered into or renewed by this agency  
77 for a period of more than three (3) years nor unless said  
78 contracts, agreements or obligations have been made in accordance  
79 with Sections 31-7-11, 31-7-13, 31-7-55 and 31-7-57, Mississippi  
80 Code of 1972.

81 **SECTION 4.** Of the funds appropriated in Section 1 and  
82 authorized for expenditure in Section 2, it is the intention of  
83 the Legislature that Twelve Thousand Dollars (\$12,000.00) shall be  
84 transferred to the Fair Commission - County Livestock Shows during  
85 the Fiscal Year 2007.

86 **SECTION 5.** It is the intention of the Legislature that  
87 whenever two (2) or more bids are received by this agency for the  
88 purchase of commodities or equipment, and whenever all things  
89 stated in such received bids are equal with respect to price,  
90 quality and service, the Mississippi Industries for the Blind  
91 shall be given preference. A similar preference shall be given to  
92 the Mississippi Industries for the Blind whenever purchases are  
93 made without competitive bids.

94 **SECTION 6.** All expenditures of funds appropriated by this  
95 act for the purposes of advertising through the media shall comply  
96 with the provisions of this section. All notices, advertisements,  
97 or announcements designed to accomplish distribution of vital  
98 information paid for wholly or in part through funds appropriated  
99 by this act and distributed through the media shall be placed  
100 according to a formula based upon the following criteria:

101           (a) Outlets of the Mississippi Public Broadcasting  
102 System shall receive twenty percent (20%) of all expenditures  
103 allotted for any advertising campaign undertaken by the agency to  
104 which funds are appropriated by this act. All distribution of  
105 information undertaken by the Mississippi Broadcasting System  
106 under these requirements shall conform to the accepted standards  
107 of information distribution common to public media.

108           (b) Media outlets, other than outlets of the  
109 Mississippi Public Broadcasting System, shall receive placement of  
110 such notices through the following method of distribution and  
111 based upon commonly accepted boundaries of distribution:

112                 (i) Newspapers. Newspapers demonstrating  
113 established market reach through verifiable and auditable  
114 circulation numbers shall receive twenty-five percent (25%) of all  
115 expenditures allotted for distribution of vital information, and  
116 such expenditures to the individual newspapers shall be determined  
117 and prorated based upon the verifiable and auditable share of  
118 total circulation within the individual counties. This  
119 requirement does not replace the requirements and systems  
120 currently in place regarding legal notices in the newspapers.

121                 (ii) Radio. Radio stations demonstrating  
122 established market reach through verifiable and auditable market  
123 share information as recorded through reputable and established  
124 rating services shall receive twenty percent (20%) of all  
125 expenditures allotted for such distribution of vital information,  
126 and such expenditures to the individual stations shall be  
127 determined and prorated based upon the verifiable and auditable  
128 share of total market reach within the individual counties.

129                 (iii) Television. Television stations and  
130 television cable outlets demonstrating established market reach  
131 through verifiable and auditable market share information as  
132 recorded through reputable and established rating services shall  
133 receive twenty percent (20%) of all expenditures allotted for such  
134 distribution of vital information, and such expenditures to the  
135 individual stations shall be determined and prorated based upon

136 the verifiable and auditable share of total market reach within  
137 the individual demonstrated market reach area of the station or  
138 cable outlet.

139 (iv) Magazines. Magazines demonstrating  
140 established market reach through verifiable and auditable  
141 circulation numbers shall receive ten percent (10%) of all  
142 expenditures allotted for such distribution of vital information,  
143 and such expenditures to the individual magazines shall be  
144 determined and prorated based upon the verifiable and auditable  
145 circulation numbers within the counties. If no magazine exists  
146 which meets the criteria stated above, the portion of those funds  
147 so allotted shall be distributed among the other media outlets  
148 equally.

149 (v) Electronic media. Electronic media  
150 demonstrating established market reach through verifiable and  
151 auditable circulation numbers shall receive five percent (5%) of  
152 all expenditures allotted for such distribution of vital  
153 information, and such expenditures to the individual electronic  
154 media outlets shall be determined and prorated based upon the  
155 verifiable and auditable circulation numbers within the counties.  
156 If no electronic media exists which meets the criteria stated  
157 above, the portion of those funds so allotted shall be distributed  
158 equally among the other media outlets.

159 Provisions of this section do not apply to the placement of  
160 advertisements in national media outlets to recruit economic  
161 development or to promote tourism in the state.

162 **SECTION 7.** The money herein appropriated shall be paid by  
163 the State Treasurer out of any money in the State Treasury to the  
164 credit of the proper fund or funds as set forth in this act, upon  
165 warrants issued by the State Fiscal Officer; and the State Fiscal  
166 Officer shall issue his warrants upon requisitions signed by the  
167 proper person, officer or officers in the manner provided by law.

168 **SECTION 8.** This act shall take effect and be in force from  
169 and after July 1, 2006.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE  
2 EXPENSES OF THE MISSISSIPPI FAIR COMMISSION, THE MISSISSIPPI  
3 LIVESTOCK COLISEUM AND THE INDUSTRIAL SHOWCASE AND TRADE MART  
4 BUILDING FOR FISCAL YEAR 2007.

HR40\SB3033PH.J

Don Richardson  
Clerk of the House of Representatives