

House Amendments to Senate Bill No. 3035

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:

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, to the
8 Tennessee-Tombigbee Waterway Development Authority for the
9 purposes enumerated in Section 51-27-1, Mississippi Code of 1972,
10 for the fiscal year beginning July 1, 2006, and ending
11 June 30, 2007..... \$ 81,158.00.

12 **SECTION 2.** The following sum, or so much thereof as may be
13 necessary, is hereby authorized for expenditure out of any special
14 source funds which are collected by or otherwise become available
15 for the purpose of defraying the expenses of the
16 Tennessee-Tombigbee Waterway Development Authority for the fiscal
17 year beginning July 1, 2006, and ending June 30, 2007.....
18 \$ 155,535.00.

19 **SECTION 3.** Of the funds appropriated under the provisions of
20 Sections 1 and 2, not more than the amounts set forth below shall
21 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.. \$ 122,382.00
26 Travel and Subsistence..... 47,000.00
27 Contractual Services..... 57,311.00
28 Commodities..... 10,000.00

29 Capital Outlay:

30 Other Than Equipment..... 0.00

31	Equipment.....	0.00
32	Subsidies, Loans and Grants.....	<u>0.00</u>
33	Total.....	\$ 236,693.00

34 FUNDING:

35	General Funds.....	\$ 81,158.00
36	Special Funds.....	<u>155,535.00</u>
37	Total.....	\$ 236,693.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	2
40	Part Time.....	1
41	Time-Limited: Full Time.....	0
42	Part Time.....	0

43 Any transfers or escalations shall be made in accordance with
44 the terms, conditions and procedures established by law.

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48 act and which are withdrawn and no longer available.

49 **SECTION 4.** It shall be unlawful for any officer, employee or
50 other person whatsoever to use or permit or authorize the use of
51 any automobile or any other motor vehicle owned by the State of
52 Mississippi or any department, agency or institution thereof for
53 any purpose other than upon the official business of the State of
54 Mississippi or any agency, department or institution thereof.

55 It is the intent of the Legislature that motor vehicles
56 authorized to be owned and operated by this agency shall comply
57 with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

58 **SECTION 5.** It is the intention of the Legislature that
59 whenever two (2) or more bids are received by this agency for the
60 purchase of commodities or equipment, and whenever all things
61 stated in such received bids are equal with respect to price,
62 quality and service, the Mississippi Industries for the Blind
63 shall be given preference. A similar preference shall be given to
64 the Mississippi Industries for the Blind whenever purchases are
65 made without competitive bids.

66 **SECTION 6.** All expenditures of funds appropriated by this
67 act for the purposes of advertising through the media shall comply
68 with the provisions of this section. All notices, advertisements,
69 or announcements designed to accomplish distribution of vital
70 information paid for wholly or in part through funds appropriated
71 by this act and distributed through the media shall be placed
72 according to a formula based upon the following criteria:

73 (a) Outlets of the Mississippi Public Broadcasting
74 System shall receive twenty percent (20%) of all expenditures
75 allotted for any advertising campaign undertaken by the agency to
76 which funds are appropriated by this act. All distribution of
77 information undertaken by the Mississippi Broadcasting System
78 under these requirements shall conform to the accepted standards
79 of information distribution common to public media.

80 (b) Media outlets, other than outlets of the
81 Mississippi Public Broadcasting System, shall receive placement of
82 such notices through the following method of distribution and
83 based upon commonly accepted boundaries of distribution:

84 (i) Newspapers. Newspapers demonstrating
85 established market reach through verifiable and auditable
86 circulation numbers shall receive twenty-five percent (25%) of all
87 expenditures allotted for distribution of vital information, and
88 such expenditures to the individual newspapers shall be determined
89 and prorated based upon the verifiable and auditable share of
90 total circulation within the individual counties. This
91 requirement does not replace the requirements and systems
92 currently in place regarding legal notices in the newspapers.

93 (ii) Radio. Radio stations demonstrating
94 established market reach through verifiable and auditable market
95 share information as recorded through reputable and established
96 rating services shall receive twenty percent (20%) of all
97 expenditures allotted for such distribution of vital information,
98 and such expenditures to the individual stations shall be
99 determined and prorated based upon the verifiable and auditable
100 share of total market reach within the individual counties.

101 (iii) Television. Television stations and
102 television cable outlets demonstrating established market reach
103 through verifiable and auditable market share information as
104 recorded through reputable and established rating services shall
105 receive twenty percent (20%) of all expenditures allotted for such
106 distribution of vital information, and such expenditures to the
107 individual stations shall be determined and prorated based upon
108 the verifiable and auditable share of total market reach within
109 the individual demonstrated market reach area of the station or
110 cable outlet.

111 (iv) Magazines. Magazines demonstrating
112 established market reach through verifiable and auditable
113 circulation numbers shall receive ten percent (10%) of all
114 expenditures allotted for such distribution of vital information,
115 and such expenditures to the individual magazines shall be
116 determined and prorated based upon the verifiable and auditable
117 circulation numbers within the counties. If no magazine exists
118 which meets the criteria stated above, the portion of those funds
119 so allotted shall be distributed among the other media outlets
120 equally.

121 (v) Electronic media. Electronic media
122 demonstrating established market reach through verifiable and
123 auditable circulation numbers shall receive five percent (5%) of
124 all expenditures allotted for such distribution of vital
125 information, and such expenditures to the individual electronic
126 media outlets shall be determined and prorated based upon the
127 verifiable and auditable circulation numbers within the counties.
128 If no electronic media exists which meets the criteria stated
129 above, the portion of those funds so allotted shall be distributed
130 equally among the other media outlets.

131 Provisions of this section do not apply to the placement of
132 advertisements in national media outlets to recruit economic
133 development or to promote tourism in the state.

134 **SECTION 7.** The money herein appropriated shall be paid by
135 the State Treasurer out of any money in the State Treasury to the

136 credit of the proper fund or funds as set forth in this act, upon
137 warrants issued by the State Fiscal Officer; and the State Fiscal
138 Officer shall issue his warrants upon requisitions signed by the
139 proper person, officer or officers, in the manner provided by law.

140 **SECTION 8.** This act shall take effect and be in force from
141 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 TO THE TENNESSEE-TOMBIGBEE
2 WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN
3 SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2007.

HR40\SB3035PH.J

Don Richardson
Clerk of the House of Representatives