

**House Amendments to Senate Bill No. 3038**

**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, for the purpose of  
8 defraying the general expenses of the operation of the Mississippi  
9 National Guard for the fiscal year beginning July 1, 2006, and  
10 ending June 30, 2007..... \$       5,789,033.00.

11       **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated to the Mississippi National  
13 Guard, out of any money in the State Treasury to the credit of the  
14 Camp Shelby Timber Fund-No. 3700, as created by Chapter 187, Laws  
15 of 1954, as amended; the Army National Guard Programs Fund-No.  
16 3701; the Camp Shelby Base Operations Fund-No. 3705; and the Air  
17 National Guard Programs Fund-No. 3709, for the purpose of carrying  
18 out the provisions of applicable statutes and federal/state  
19 agreements for the fiscal year beginning July 1, 2006, and ending  
20 June 30, 2007..... \$       51,453,814.00.

21       **SECTION 3.** With the funds appropriated under the provisions  
22 of Sections 1 and 2, not more than the amounts set forth below  
23 shall be expended for the respective major objects or purposes of  
24 expenditure:

25       **MAJOR OBJECTS OF EXPENDITURE:**

26       Personal Services:

27               Salaries, Wages and Fringe Benefits..	\$	28,295,687.00
28               Travel and Subsistence.....		303,698.00
29               Contractual Services.....		20,040,833.00
30               Commodities.....		3,064,239.00

31	Capital Outlay:	
32	Other Than Equipment.....	2,925,174.00
33	Equipment.....	724,312.00
34	Subsidies, Loans and Grants.....	<u>1,888,904.00</u>
35	Total.....	\$ 57,242,847.00

36	FUNDING:	
37	General Funds.....	\$ 5,789,033.00
38	Special Funds.....	<u>51,453,814.00</u>
39	Total.....	\$ 57,242,847.00

40 AUTHORIZED POSITIONS:

41	Permanent:	Full Time.....	695
42		Part Time.....	0
43	Time-Limited:	Full Time.....	0
44		Part Time.....	0

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

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50 act and which are withdrawn and no longer available.

51 **SECTION 4.** It is the intention of the Legislature that the  
52 agency's budget request for Fiscal Year 2008 shall be submitted to  
53 the Joint Legislative Budget Committee in a format and level of  
54 detail comparable to the format and level of detail provided  
55 during the Fiscal Year 2007 budget request process.

56 **SECTION 5.** All funds authorized to be expended herein shall  
57 be expended and otherwise accounted for in accordance with the  
58 provisions of Section 27-103-1 et seq., Mississippi Code of 1972.  
59 If not needed for other purposes, the Adjutant General is hereby  
60 expressly authorized to invest any part of or all monies herein  
61 appropriated out of the Camp Shelby Timber Fund at the highest  
62 rate of interest obtainable and credit interest accruing on such  
63 investments to the respective fund. Such monies may be invested  
64 in any short-term bonds, notes or other direct obligations of the  
65 United States of America or the State of Mississippi or any county

66 or municipality of this state, which said county or municipal  
67 bonds have been approved by a reputable bonds attorney or have  
68 been validated by a decree of the court, and in any event the said  
69 bonds, notes or obligations in which such funds are invested shall  
70 mature or be redeemable prior to the time the funds so invested  
71 will be needed for the refund or refunds herein provided for.

72 **SECTION 6.** The acceptance and expenditure of federal funds  
73 which may become available for the purpose of defraying the  
74 expenses of the Mississippi National Guard is hereby authorized  
75 and approved, provided such expenditures are reported and  
76 otherwise handled in accordance with the state budget law, same  
77 being Section 27-103-1 et seq., Mississippi Code of 1972.

78 **SECTION 7.** The acceptance and expenditure of federal funds  
79 which may become available to the Mississippi National Guard for  
80 construction purposes is hereby authorized and approved, provided  
81 such receipts and expenditures are reported and otherwise handled  
82 in accordance with the state budget law, same being Section  
83 27-103-1 et seq., Mississippi Code of 1972.

84 **SECTION 8.** Of the funds appropriated in Section 1, Two  
85 Million Sixty-four Thousand Five Hundred Sixteen Dollars  
86 (\$2,064,516.00) shall be provided for the support of the Youth  
87 Challenge Program at Camp Shelby.

88 **SECTION 9.** Of the funds appropriated under the provisions of  
89 Section 2, Six Hundred Ninety-three Thousand Nine Hundred  
90 Sixty-six Dollars (\$693,966.00) shall be derived from the Budget  
91 Contingency Fund, as created in Section 27-103-301, Mississippi  
92 Code of 1972.

93 **SECTION 10.** It is the intention of the Legislature that  
94 whenever two (2) or more bids are received by this agency for the  
95 purchase of commodities or equipment, and whenever all things  
96 stated in such received bids are equal with respect to price,  
97 quality and service, the Mississippi Industries for the Blind  
98 shall be given preference. A similar preference shall be given to  
99 the Mississippi Industries for the Blind whenever purchases are  
100 made without competitive bids.

101           **SECTION 11.** All expenditures of funds appropriated by this  
102 act for the purposes of advertising through the media shall comply  
103 with the provisions of this section. All notices, advertisements,  
104 or announcements designed to accomplish distribution of vital  
105 information paid for wholly or in part through funds appropriated  
106 by this act and distributed through the media shall be placed  
107 according to a formula based upon the following criteria:

108           (a) Outlets of the Mississippi Public Broadcasting  
109 System shall receive twenty percent (20%) of all expenditures  
110 allotted for any advertising campaign undertaken by the agency to  
111 which funds are appropriated by this act. All distribution of  
112 information undertaken by the Mississippi Broadcasting System  
113 under these requirements shall conform to the accepted standards  
114 of information distribution common to public media.

115           (b) Media outlets, other than outlets of the  
116 Mississippi Public Broadcasting System, shall receive placement of  
117 such notices through the following method of distribution and  
118 based upon commonly accepted boundaries of distribution:

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

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

136 (iii) Television. Television stations and  
137 television cable outlets demonstrating established market reach  
138 through verifiable and auditable market share information as  
139 recorded through reputable and established rating services shall  
140 receive twenty percent (20%) of all expenditures allotted for such  
141 distribution of vital information, and such expenditures to the  
142 individual stations shall be determined and prorated based upon  
143 the verifiable and auditable share of total market reach within  
144 the individual demonstrated market reach area of the station or  
145 cable outlet.

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

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

166 Provisions of this section do not apply to the placement of  
167 advertisements in national media outlets to recruit economic  
168 development or to promote tourism in the state.

169 **SECTION 12.** The money herein appropriated shall be paid by  
170 the State Treasurer out of any money in the State Treasury to the

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

175       **SECTION 13.** This act shall take effect and be in force from  
176 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 FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR  
3 2007.

HR40\SB3038PH.J

Don Richardson  
Clerk of the House of Representatives