

**House Amendments to Senate Bill No. 3041**

**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:**

4       **SECTION 1.** The following sum, or so much thereof as may be  
5 necessary, is hereby appropriated out of any money in the State  
6 General Fund not otherwise appropriated, for the purpose of  
7 defraying the expenses and paying salaries of the Veterans Affairs  
8 Board for the fiscal year beginning July 1, 2006, and ending  
9 June 30, 2007..... \$       2,818,669.00.

10       **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby appropriated out of any money in the special  
12 fund in the State Treasury to the credit of the Veterans Affairs  
13 Board which is comprised of special source funds collected by or  
14 otherwise available to the board, for the support and maintenance  
15 of said board for the fiscal year beginning July 1, 2006, and  
16 ending June 30, 2007..... \$       23,074,466.00.

17       **SECTION 3.** Of the funds appropriated under the provisions of  
18 Sections 1 and 2, not more than the amounts set forth below shall  
19 be expended for the respective major objects or purposes of  
20 expenditure:

21       **MAJOR OBJECTS OF EXPENDITURE:**

22       Personal Services:

23               Salaries, Wages and Fringe Benefits.. \$       11,185,669.00  
24               Travel and Subsistence.....               70,971.00  
25               Contractual Services.....               12,625,827.00  
26               Commodities.....               1,864,168.00  
27       Capital Outlay:  
28               Other Than Equipment.....               0.00  
29               Equipment.....               96,500.00

30 Subsidies, Loans and Grants..... 50,000.00  
 31 Total..... \$ 25,893,135.00

32 FUNDING:

33 General Funds..... \$ 2,818,669.00  
 34 Special Funds..... 23,074,466.00  
 35 Total..... \$ 25,893,135.00

36 AUTHORIZED POSITIONS:

37 Permanent: Full Time..... 67  
 38 Part Time..... 0  
 39 Time-Limited: Full Time..... 317  
 40 Part Time..... 32

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

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

65 reduce the projected annual cost and/or the appropriation  
66 requirement will be processed by the State Personnel Board until  
67 such time as the requirements of this provision are met.

68 Any transfers or escalations shall be made in accordance with  
69 the terms, conditions and procedures established by law or  
70 allowable under the terms set forth within this act. The State  
71 Personnel Board shall not escalate positions without written  
72 approval from the Department of Finance and Administration. The  
73 Department of Finance and Administration shall not provide written  
74 approval to escalate any funds for salaries and/or positions  
75 without proof of availability of new or additional funds above the  
76 appropriated level.

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

81 **SECTION 4.** Of the funds appropriated under the provisions of  
82 Sections 1 and 2, funds in the amount of Two Hundred Fifty  
83 Thousand Dollars (\$250,000.00) are provided to defray the cost of  
84 providing care to indigent/low-income Mississippi veterans and the  
85 non-veteran surviving spouses of Mississippi veterans if the  
86 surviving spouse was a resident of a state veterans home at the  
87 time of the veteran's death and who, subsequent to the veteran's  
88 death, meets the indigent/low-income criteria established by the  
89 State Veterans Affairs Board, in the state veterans homes. It is  
90 the intention of the Legislature that the provision pertaining to  
91 use of indigent/low-income surviving spouses be retroactive for  
92 any such period, prior to the effective date of this act, that a  
93 current surviving spouse may have met the criteria. This section  
94 and its provisions shall be known and cited as the "Hilton R.  
95 'Jack' Vance Act of 1997."

96 **SECTION 5.** Of the funds appropriated under the provisions of  
97 Section 2, Four Hundred Eighty-seven Thousand Seven Hundred Fifty  
98 Dollars (\$487,750.00) shall be derived from the Health Care  
99 Expendable Fund created in Section 43-13-407, Mississippi Code of

100 1972, for the support and maintenance of the Veterans' Affairs  
101 Board.

102         **SECTION 6.** It is the intention of the Legislature that the  
103 Executive Director of the Veterans' Affairs Board may authorize  
104 increases in any major objects of expenditures in total amounts  
105 not to exceed twenty-five percent (25%) of the appropriated amount  
106 of each major object of expenditure, provided that other major  
107 objects of expenditure are decreased by a corresponding dollar  
108 amount. However, no transfers shall be authorized which increase  
109 the major object of expenditure "Salaries, Wages and Fringe  
110 Benefits."

111         **SECTION 7.** It is the intention of the Legislature that the  
112 Veterans Affairs Board shall maintain complete accounting and  
113 personnel records related to the expenditure of all funds  
114 appropriated under the provisions of this act and that such  
115 records shall be in the same format and level of details as  
116 maintained for Fiscal Year 2006. It is further the intention of  
117 the Legislature that the budget request for Fiscal Year 2008 shall  
118 be submitted to the Joint Legislative Budget Committee in a format  
119 and level of detail comparable to the format and level of detail  
120 provided during the Fiscal Year 2007 budget request process.

121         **SECTION 8.** It is the intention of the Legislature that  
122 whenever two (2) or more bids are received by this agency for the  
123 purchase of commodities or equipment, and whenever all things  
124 stated in such received bids are equal with respect to price,  
125 quality and service, the Mississippi Industries for the Blind  
126 shall be given preference. A similar preference shall be given to  
127 the Mississippi Industries for the Blind whenever purchases are  
128 made without competitive bids.

129         **SECTION 9.** All expenditures of funds appropriated by this  
130 act for the purposes of advertising through the media shall comply  
131 with the provisions of this section. All notices, advertisements,  
132 or announcements designed to accomplish distribution of vital  
133 information paid for wholly or in part through funds appropriated

134 by this act and distributed through the media shall be placed  
135 according to a formula based upon the following criteria:

136 (a) Outlets of the Mississippi Public Broadcasting  
137 System shall receive twenty percent (20%) of all expenditures  
138 allotted for any advertising campaign undertaken by the agency to  
139 which funds are appropriated by this act. All distribution of  
140 information undertaken by the Mississippi Broadcasting System  
141 under these requirements shall conform to the accepted standards  
142 of information distribution common to public media.

143 (b) Media outlets, other than outlets of the  
144 Mississippi Public Broadcasting System, shall receive placement of  
145 such notices through the following method of distribution and  
146 based upon commonly accepted boundaries of distribution:

147 (i) Newspapers. Newspapers demonstrating  
148 established market reach through verifiable and auditable  
149 circulation numbers shall receive twenty-five percent (25%) of all  
150 expenditures allotted for distribution of vital information, and  
151 such expenditures to the individual newspapers shall be determined  
152 and prorated based upon the verifiable and auditable share of  
153 total circulation within the individual counties. This  
154 requirement does not replace the requirements and systems  
155 currently in place regarding legal notices in the newspapers.

156 (ii) Radio. Radio stations demonstrating  
157 established market reach through verifiable and auditable market  
158 share information as recorded through reputable and established  
159 rating services shall receive twenty percent (20%) of all  
160 expenditures allotted for such distribution of vital information,  
161 and such expenditures to the individual stations shall be  
162 determined and prorated based upon the verifiable and auditable  
163 share of total market reach within the individual counties.

164 (iii) Television. Television stations and  
165 television cable outlets demonstrating established market reach  
166 through verifiable and auditable market share information as  
167 recorded through reputable and established rating services shall  
168 receive twenty percent (20%) of all expenditures allotted for such

169 distribution of vital information, and such expenditures to the  
170 individual stations shall be determined and prorated based upon  
171 the verifiable and auditable share of total market reach within  
172 the individual demonstrated market reach area of the station or  
173 cable outlet.

174 (iv) Magazines. Magazines demonstrating  
175 established market reach through verifiable and auditable  
176 circulation numbers shall receive ten percent (10%) of all  
177 expenditures allotted for such distribution of vital information,  
178 and such expenditures to the individual magazines shall be  
179 determined and prorated based upon the verifiable and auditable  
180 circulation numbers within the counties. If no magazine exists  
181 which meets the criteria stated above, the portion of those funds  
182 so allotted shall be distributed among the other media outlets  
183 equally.

184 (v) Electronic media. Electronic media  
185 demonstrating established market reach through verifiable and  
186 auditable circulation numbers shall receive five percent (5%) of  
187 all expenditures allotted for such distribution of vital  
188 information, and such expenditures to the individual electronic  
189 media outlets shall be determined and prorated based upon the  
190 verifiable and auditable circulation numbers within the counties.  
191 If no electronic media exists which meets the criteria stated  
192 above, the portion of those funds so allotted shall be distributed  
193 equally among the other media outlets.

194 Provisions of this section do not apply to the placement of  
195 advertisements in national media outlets to recruit economic  
196 development or to promote tourism in the state.

197 **SECTION 10.** The money herein appropriated shall be paid by  
198 the State Treasurer out of any money in the State Treasury to the  
199 credit of the proper fund or funds as set forth in this act, upon  
200 warrants issued by the State Fiscal Officer; and the State Fiscal  
201 Officer shall issue his warrants upon requisitions signed by the  
202 proper person, officer or officers in the manner provided by law.

203           **SECTION 11.** This act shall take effect and be in force from  
204 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 VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2007.

HR40\SB3041PH.J

Don Richardson  
Clerk of the House of Representatives