

By: Senator(s) Gordon, Thames, Cuevas, Lee,
Dawkins, Kirby, Scoper, Simmons

To: Appropriations

SENATE BILL NO. 3161

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR
3 2003.

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 general expenses of the operation of the Mississippi
9 National Guard for the fiscal year beginning July 1, 2002, and
10 ending June 30, 2003..... \$ 4,752,666.00.

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 Service Contract Fund--No. 3701; the Camp
16 Shelby Base Operations Fund--No. 3705; the Air National Guard
17 Training Site Base Operations Fund--No. 3709; and the Education
18 Enhancement Fund, for the purpose of carrying out the provisions
19 of applicable statutes and federal/state agreements for the fiscal
20 year beginning July 1, 2002, and ending June 30, 2003.....
21 \$ 51,273,285.00.

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

26 MAJOR OBJECTS OF EXPENDITURE:

27 Personal Services:



| | | | |
|----|---------------------------------------|----|---------------------|
| 28 | Salaries, Wages and Fringe Benefits.. | \$ | 24,595,712.00 |
| 29 | Travel and Subsistence..... | | 144,219.00 |
| 30 | Contractual Services..... | | 14,014,361.00 |
| 31 | Commodities..... | | 3,423,906.00 |
| 32 | Capital Outlay: | | |
| 33 | Other Than Equipment..... | | 10,788,964.00 |
| 34 | Equipment..... | | 83,541.00 |
| 35 | Subsidies, Loans and Grants..... | | <u>2,975,248.00</u> |
| 36 | Total..... | \$ | 56,025,951.00 |

37 FUNDING:

| | | | |
|----|--------------------|----|----------------------|
| 38 | General Funds..... | \$ | 4,752,666.00 |
| 39 | Special Funds..... | | <u>51,273,285.00</u> |
| 40 | Total..... | \$ | 56,025,951.00 |

41 AUTHORIZED POSITIONS:

| | | | |
|----|---------------|----------------|-----|
| 42 | Permanent: | Full Time..... | 680 |
| 43 | | Part Time..... | 14 |
| 44 | Time-Limited: | Full Time..... | 0 |
| 45 | | Part Time..... | 0 |

46 Funds are provided herein to adjust the Variable Compensation
47 Plan to ensure that all full-time employees receive a pay increase
48 equal to fifty percent (50%) of the realignment component of the
49 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
50 whichever is greater, beginning on January 1, 2003.

51 With the funds herein appropriated, it is the intention of
52 the Legislature that it shall be the agency's responsibility to
53 make certain that funds required to be appropriated for "Personal
54 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
55 funds appropriated for that purpose, unless programs, positions or
56 pay increases are added to the agency's budget by the Mississippi
57 Legislature. Based on data provided by the Legislative Budget
58 Office, the State Personnel Board shall, on July 1, 2002, publish
59 separate annual projection reports, based on July 1, 2002 data,
60 for the period of July 1, 2002 through December 31, 2002, and



61 January 1, 2003 through June 30, 2003, that project the annual
62 cost to fully fund all appropriated positions in compliance with
63 the provisions of this act. It shall be the responsibility of the
64 agency head to ensure that no single personnel action increases
65 this projected cost and/or the Fiscal Year 2003 appropriation for
66 "Personal Services," as annualized on a semi-annual basis in
67 accordance with the provisions of this act. If, at the end of any
68 calendar month, the State Personnel Board determines that the
69 agency has taken action(s) which would cause the agency to exceed
70 this projected annual cost or the Fiscal Year 2003 "Personal
71 Services" appropriated level, when annualized in compliance with
72 the provisions of this act, then only those actions which reduce
73 the projected annual cost and/or the appropriation requirement
74 will be processed by the State Personnel Board until such time as
75 the requirements of this provision are met.

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

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

82 **SECTION 4.** It is the intention of the Legislature that the
83 agency's budget request for Fiscal Year 2004 shall be submitted to
84 the Joint Legislative Budget Committee in a format and level of
85 detail comparable to the format and level of detail provided
86 during the Fiscal Year 2003 budget request process.

87 **SECTION 5.** All funds authorized to be expended herein shall
88 be expended and otherwise accounted for in accordance with the
89 provisions of Section 27-103-1 et seq., Mississippi Code of 1972.
90 If not needed for other purposes, the Adjutant General is hereby
91 expressly authorized to invest any part of or all monies herein
92 appropriated out of the Camp Shelby Timber Fund at the highest
93 rate of interest obtainable and credit interest accruing on such



94 investments to the respective fund. Such monies may be invested
95 in any short-term bonds, notes or other direct obligations of the
96 United States of America or the State of Mississippi or any county
97 or municipality of this state, which said county or municipal
98 bonds have been approved by a reputable bonds attorney or have
99 been validated by a decree of the court, and in any event the said
100 bonds, notes or obligations in which such funds are invested shall
101 mature or be redeemable prior to the time the funds so invested
102 will be needed for the refund or refunds herein provided for.

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

109 **SECTION 7.** The acceptance and expenditure of federal funds
110 which may become available to the Mississippi National Guard for
111 construction purposes is hereby authorized and approved, provided
112 such receipts and expenditures are reported and otherwise handled
113 in accordance with the state budget law, same being Section
114 27-103-1 et seq., Mississippi Code of 1972.

115 **SECTION 8.** Of the funds appropriated in Section 2, funds are
116 included in the amount appropriated to the State Department of
117 Education to be transferred to the Mississippi National Guard for
118 the support of the Youth Challenge Program at Camp Shelby.

119 **SECTION 9.** The money herein appropriated shall be paid by
120 the State Treasurer out of any money in the State Treasury to the
121 credit of the proper fund or funds as set forth in this act, upon
122 warrants issued by the State Fiscal Officer; and the State Fiscal
123 Officer shall issue his warrants upon requisitions signed by the
124 proper person, officer or officers, in the manner provided by law.

125 **SECTION 10.** This act shall take effect and be in force from
126 and after July 1, 2002.

