

**\*\*\*Adopted\*\*\*  
AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 3161**

**By Representative(s) Committee**

**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, 2002, and  
10 ending June 30, 2003..... \$       4,752,665.00.

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.** With the funds appropriated under the provisions  
23 of Sections 1 and 2, the following positions are authorized:

24       AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	680
26		Part Time.....	14
27	Time-Limited:	Full Time.....	0
28		Part Time.....	0

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

34 With the funds herein appropriated, it is the intention of  
35 the Legislature that it shall be the agency's responsibility to  
36 make certain that funds required to be appropriated for "Personal  
37 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003  
38 funds appropriated for that purpose, unless programs, positions or  
39 pay increases are added to the agency's budget by the Mississippi  
40 Legislature. Based on data provided by the Legislative Budget  
41 Office, the State Personnel Board shall, on July 1, 2002, publish  
42 separate annual projection reports, based on July 1, 2002 data,  
43 for the period of July 1, 2002 through December 31, 2002, and  
44 January 1, 2003 through June 30, 2003, that project the annual  
45 cost to fully fund all appropriated positions in compliance with  
46 the provisions of this act. It shall be the responsibility of the  
47 agency head to ensure that no single personnel action increases  
48 this projected cost and/or the Fiscal Year 2003 appropriation for  
49 "Personal Services," as annualized on a semi-annual basis in  
50 accordance with the provisions of this act. If, at the end of any  
51 calendar month, the State Personnel Board determines that the  
52 agency has taken action(s) which would cause the agency to exceed  
53 this projected annual cost or the Fiscal Year 2003 "Personal  
54 Services" appropriated level, when annualized in compliance with  
55 the provisions of this act, then only those actions which reduce  
56 the projected annual cost and/or the appropriation requirement  
57 will be processed by the State Personnel Board until such time as  
58 the requirements of this provision are met.

59 Any transfers or escalations shall be made in accordance with

60 the terms, conditions, and procedures established by law.

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

65 **SECTION 4.** It is the intention of the Legislature that the  
66 agency's budget request for Fiscal Year 2004 shall be submitted to  
67 the Joint Legislative Budget Committee in a format and level of  
68 detail comparable to the format and level of detail provided  
69 during the Fiscal Year 2003 budget request process.

70 **SECTION 5.** All funds authorized to be expended herein shall  
71 be expended and otherwise accounted for in accordance with the  
72 provisions of Section 27-103-1 et seq., Mississippi Code of 1972.  
73 If not needed for other purposes, the Adjutant General is hereby  
74 expressly authorized to invest any part of or all monies herein  
75 appropriated out of the Camp Shelby Timber Fund at the highest  
76 rate of interest obtainable and credit interest accruing on such  
77 investments to the respective fund. Such monies may be invested  
78 in any short-term bonds, notes or other direct obligations of the  
79 United States of America or the State of Mississippi or any county  
80 or municipality of this state, which said county or municipal  
81 bonds have been approved by a reputable bonds attorney or have  
82 been validated by a decree of the court, and in any event the said  
83 bonds, notes or obligations in which such funds are invested shall  
84 mature or be redeemable prior to the time the funds so invested  
85 will be needed for the refund or refunds herein provided for.

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

92 **SECTION 7.** The acceptance and expenditure of federal funds  
93 which may become available to the Mississippi National Guard for  
94 construction purposes is hereby authorized and approved, provided

95 such receipts and expenditures are reported and otherwise handled  
96 in accordance with the state budget law, same being Section  
97 27-103-1 et seq., Mississippi Code of 1972.

98         **SECTION 8.** Of the funds appropriated in Section 2, One  
99 Million Eight Hundred Seventy-six Thousand Sixty-four Dollars  
100 (\$1,876,064.00) shall be transferred from the State Department of  
101 Education to the Mississippi National Guard for the support of the  
102 Youth Challenge Program at Camp Shelby.

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

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