

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 2542**

**By Representative(s) Committee**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

6           **SECTION 1.** Section 27-103-125, Mississippi Code of 1972, is  
7 amended as follows:  
8           27-103-125. The proposed budget of each state agency shall  
9 show the amounts required for operating expenses separately from  
10 the amounts required for permanent improvements. The overall  
11 budget shall show, separately by each source, the estimated amount  
12 of general fund revenue and of special fund revenues of general  
13 fund agencies. The total proposed expenditures in Part 1 of the  
14 overall budget shall not exceed the amount of estimated revenues  
15 which will be available in the general and special funds for  
16 appropriation or use during the succeeding fiscal year, including  
17 any balances which will be on hand in the general and special  
18 funds at the close of the then current fiscal year. Beginning  
19 with the budget for fiscal year 1994, the total proposed  
20 expenditures from the State General Fund in Part 1 of the overall  
21 budget shall not exceed ninety-eight percent (98%) of the amount  
22 of general fund revenue estimate for the succeeding fiscal year,  
23 plus any unencumbered balances in general funds that will be  
24 available and on hand at the close of the then current fiscal  
25 year. However, for fiscal year 2004 only, the total proposed

26 expenditures from the State General Fund in Part 1 of the overall  
27 budget shall not exceed one hundred percent (100%) of the amount  
28 of the general fund revenue estimate for the succeeding fiscal  
29 year, plus any unencumbered balances in general funds that will be  
30 available and on hand at the close of the then current fiscal  
31 year. The general fund revenue estimate shall be the estimate  
32 jointly adopted by the Governor and the Joint Legislative Budget  
33 Committee. Unencumbered balances in general funds that will be  
34 available and on hand at the close of the current fiscal year  
35 shall not include projected amounts required to be deposited into  
36 the Working Cash-Stabilization Reserve Fund pursuant to Section  
37 27-103-203. The Legislative Budget Office may recommend  
38 additional taxes or sources of revenue if in its judgment such  
39 additional funds are necessary to adequately support the functions  
40 of the state government.

41 **SECTION 2.** Section 27-103-139, Mississippi Code of 1972, is  
42 amended as follows:

43 27-103-139. On or before November 15 preceding each regular  
44 session of the Legislature, except the first regular session of a  
45 new term of office, the Governor shall submit to the members of  
46 the Legislature, the Legislative Budget Office or the  
47 members-elect, as the case may be, and to the executive head of  
48 each state agency a balanced budget for the succeeding fiscal  
49 year. Beginning with the 1996 fiscal year, the budget submitted  
50 shall be prepared in a format which will include performance  
51 measurement data associated with the various programs operated by  
52 each agency. The total proposed expenditures in the balanced  
53 budget shall not exceed the amount of estimated revenues that will  
54 be available for appropriation or use during the succeeding fiscal  
55 year, including any balances that will be on hand at the close of  
56 the then current fiscal year, as determined by the revenue  
57 estimate jointly adopted by the Governor and the Legislative  
58 Budget Committee. Beginning with the budget for fiscal year 1994,  
59 the total proposed expenditures from the State General Fund in the  
60 balanced budget shall not exceed ninety-eight percent (98%) of the

61 amount of general fund revenue estimate for the succeeding fiscal  
62 year, plus any unencumbered balances in general funds that will be  
63 available and on hand at the close of the then current fiscal  
64 year. However, for fiscal year 2004 only, the total proposed  
65 expenditures from the State General Fund in the balanced budget  
66 shall not exceed one hundred percent (100%) of the amount of the  
67 general fund revenue estimate for the succeeding fiscal year, plus  
68 any unencumbered balances in general funds that will be available  
69 and on hand at the close of the then current fiscal year. The  
70 general fund revenue estimate shall be the estimate jointly  
71 adopted by the Governor and the Joint Legislative Budget  
72 Committee. Unencumbered balances in general funds that will be  
73 available and on hand at the close of the fiscal year shall not  
74 include projected amounts required to be deposited into the  
75 Working Cash-Stabilization Reserve Fund and the Education  
76 Enhancement Fund pursuant to Section 27-103-203.

77         The revenues used in preparing the balanced budget shall be  
78 only those revenues that will be available under the general laws  
79 of the state as they exist when the balanced budget is prepared,  
80 and shall not include any proposed revenues that would become  
81 available only after the enactment of new legislation. If the  
82 Governor has any recommendations for additional proposed  
83 expenditures or proposed revenues that are not included in his  
84 balanced budget, he shall submit those recommendations in a  
85 supplement that is separate from his balanced budget, and whenever  
86 the Governor recommends any such additional proposed expenditures,  
87 he also shall recommend proposed revenues that are sufficient to  
88 fund the additional proposed expenditures, providing specific  
89 details regarding the sources and the total amount of those  
90 proposed revenues.

91         The Governor may employ a budget officer for the purpose of  
92 receiving information from the State Fiscal Officer and preparing  
93 his recommendations on the budget. In the event the Governor  
94 determines that information received from the State Fiscal Officer  
95 is not sufficient to enable him to prepare his budget

96 recommendations, he may request an appropriation from the  
97 Legislature to provide additional staff within the Governor's  
98 Office for such purpose. At the first regular session after his  
99 election for Governor, the Governor shall submit any budget  
100 recommendations plus the required revenue source recommendations  
101 no later than January 31 of such year.

102 **SECTION 3.** Section 27-103-211, Mississippi Code of 1972, is  
103 amended as follows:

104 27-103-211. Beginning with the appropriations for fiscal  
105 year 1994, the total sum appropriated by the Legislature from the  
106 State General Fund for any fiscal year shall not exceed  
107 ninety-eight percent (98%) of the general fund revenue estimate  
108 for that fiscal year developed by the Tax Commission and the  
109 University Research Center and adopted by the Joint Legislative  
110 Budget Committee, plus any unencumbered balances in general funds  
111 that will be available and on hand at the close of the then  
112 current fiscal year. The unencumbered balances in general funds  
113 that will be available and on hand at the close of the fiscal year  
114 shall not include projected amounts required to be deposited into  
115 the Working Cash-Stabilization Reserve Fund pursuant to Section  
116 27-103-203. However, for fiscal year 2004 only, the total sum  
117 appropriated by the Legislature from the State General Fund shall  
118 not exceed one hundred percent (100%) of the amount of the general  
119 fund revenue estimate for that fiscal year, plus any unencumbered  
120 balances in general funds that will be available and on hand at  
121 the close of the then current fiscal year.

122 **SECTION 4.** This act shall take effect and be in force from  
123 and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 27-103-125, 27-103-139 AND  
2 27-103-211, MISSISSIPPI CODE OF 1972, TO REVISE THE PERCENTAGE  
3 LIMITATION ON LEGISLATIVE APPROPRIATIONS FROM THE STATE GENERAL  
4 FUND FOR FISCAL YEAR 2004 ONLY; AND FOR RELATED PURPOSES.