

By: Senator(s) Gordon, Little, Huggins,
Cuevas, Hyde-Smith, Simmons, Wilemon

To: Appropriations

SENATE BILL NO. 3139
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR
3 2005.

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, 2004, and
10 ending June 30, 2005..... \$ 4,117,994.00.

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, 2004, and ending
20 June 30, 2005..... \$ 52,902,980.00.

21 **SECTION 3.** With the funds appropriated under the provisions
22 of Sections 1 and 2, the following positions are authorized:

23 AUTHORIZED POSITIONS:
24 Full Time.....726
25 Part Time..... 0

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

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31 act and which are withdrawn and no longer available.

32 **SECTION 4.** It is the intention of the Legislature that the
33 agency's budget request for Fiscal Year 2006 shall be submitted to
34 the Joint Legislative Budget Committee in a format and level of
35 detail comparable to the format and level of detail provided
36 during the Fiscal Year 2005 budget request process.

37 **SECTION 5.** All funds authorized to be expended herein shall
38 be expended and otherwise accounted for in accordance with the
39 provisions of Section 27-103-1 et seq., Mississippi Code of 1972.
40 If not needed for other purposes, the Adjutant General is hereby
41 expressly authorized to invest any part of or all monies herein
42 appropriated out of the Camp Shelby Timber Fund at the highest
43 rate of interest obtainable and credit interest accruing on such
44 investments to the respective fund. Such monies may be invested
45 in any short-term bonds, notes or other direct obligations of the
46 United States of America or the State of Mississippi or any county
47 or municipality of this state, which said county or municipal
48 bonds have been approved by a reputable bonds attorney or have
49 been validated by a decree of the court, and in any event the said
50 bonds, notes or obligations in which such funds are invested shall
51 mature or be redeemable prior to the time the funds so invested
52 will be needed for the refund or refunds herein provided for.

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

59 **SECTION 7.** The acceptance and expenditure of federal funds
60 which may become available to the Mississippi National Guard for

61 construction purposes is hereby authorized and approved, provided
62 such receipts and expenditures are reported and otherwise handled
63 in accordance with the state budget law, same being Section
64 27-103-1 et seq., Mississippi Code of 1972.

65 **SECTION 8.** Of the funds appropriated in Section 2, Two
66 Million Sixty-four Thousand Five Hundred Sixteen Dollars
67 (\$2,064,516.00) shall be derived from funds transferred from the
68 State Department of Education to the Mississippi National Guard
69 for the support of the Youth Challenge Program at Camp Shelby.

70 **SECTION 9.** Of the funds appropriated under the provisions of
71 Section 2, Four Hundred Thousand Dollars (\$400,000.00) shall be
72 derived from the Budget Contingency Fund created in Section
73 27-103-301, Mississippi Code of 1972, for the purpose of defraying
74 the expenses of the operation of the Mississippi National Guard.

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

81 **SECTION 11.** This act shall take effect and be in force from
82 and after July 1, 2004.