

House Amendments to Senate Bill No. 3134

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:

6 **SECTION 1.** The following sum of money, or so much thereof as
7 may be necessary, is hereby appropriated out of any money in the
8 State Treasury to the credit of the Mississippi Fair Commission
9 for the purpose of defraying the expenses of said Mississippi Fair
10 Commission, the Mississippi Livestock Coliseum, the Industrial
11 Showcase, the Trade Mart Building and for the purpose of paying
12 any indebtedness which may accrue for the period beginning
13 July 1, 2004, and ending June 30, 2005..... \$ 3,398,422.00.

14 **SECTION 2.** Of the funds appropriated under the provisions of
15 Section 1, the following positions are authorized:

16 AUTHORIZED POSITIONS:

17 Permanent:	Full Time.....	9
18	Part Time.....	22
19 Time-Limited:	Full Time.....	0
20	Part Time.....	0

21 With the funds herein appropriated, it is the intention of
22 the Legislature that it shall be the agency's responsibility to
23 make certain that funds required to be appropriated for "Personal
24 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
25 funds appropriated for that purpose, unless programs or positions
26 are added to the agency's Fiscal Year 2006 budget by the
27 Mississippi Legislature. Based on data provided by the
28 Legislative Budget Office, the State Personnel Board shall
29 determine and publish the projected annual cost to fully fund all
30 appropriated positions in compliance with the provisions of this
31 act. It shall be the responsibility of the agency head to insure

32 that no single personnel action increases this projected annual
33 cost and/or the Fiscal Year 2005 appropriation for "Personal
34 Services" when annualized, with the exception of escalated funds.
35 If, at the time the agency takes any action to change "Personal
36 Services," the State Personnel Board determines that the agency
37 has taken an action which would cause the agency to exceed this
38 projected annual cost or the Fiscal Year 2005 "Personal Services"
39 appropriated level, when annualized, then only those actions which
40 reduce the projected annual cost and/or the appropriation
41 requirement will be processed by the State Personnel Board until
42 such time as the requirements of this provision are met.

43 Any transfers or escalations shall be made in accordance with
44 the terms, conditions and procedures established by law or
45 allowable under the terms set forth within this act. The State
46 Personnel Board shall not escalate positions without written
47 approval from the Department of Finance and Administration. The
48 Department of Finance and Administration shall not provide written
49 approval to escalate any funds for salaries and/or positions
50 without proof of availability of new or additional funds above the
51 appropriated level.

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

56 **SECTION 3.** The funds authorized herein shall be used to fund
57 all operations of the agency with the following prohibitions:

58 (1) The agency shall not fill any current or future vacant
59 positions;

60 (2) The agency shall not take any action to promote or
61 otherwise award salary increases through reallocation,
62 reclassification, realignment, education benchmark, career ladder,
63 or any other means to increase salaries of employees or positions
64 except as allowed under the provisions set forth in House Bill No.
65 1279, 2004 Regular Session;

66 (3) The agency shall not expend funds for out-of-state
67 travel except as allowed under the provisions set forth in House
68 Bill No. 1279, 2004 Regular Session;

69 (4) The agency shall not expend funds for the purchase of or
70 contract for cellular phones, two-way radios or pagers, except for
71 support of employees in the Department of Public Safety and the
72 Bureau of Narcotics as recommended by Information Technology
73 Services or as allowed under the provisions set forth in House
74 Bill No. 1279, 2004 Regular Session;

75 (5) The agency shall not expend funds to publish or
76 distribute any annual reports or other publications;

77 (6) The agency shall not expend funds for public relation
78 activities regarding the functions, programs or services of the
79 agency except as allowed under the provisions set forth in House
80 Bill No. 1279, 2004 Regular Session;

81 (7) The agency shall not advertise the functions, programs
82 or services of the agency except that the Mississippi Development
83 Authority is authorized to expend funds for advertising to carry
84 out the purposes of key programs administered by the authority;

85 (8) The agency shall not expend funds for staff development
86 or training services;

87 (9) The agency shall not expend funds for the purchase of
88 new or replacement equipment or furniture, excluding lease
89 purchase payments on agreements in effect upon passage of this
90 appropriation bill, except as allowed under the provisions set
91 forth in House Bill No. 1279, 2004 Regular Session.

92 **SECTION 4.** It is the intention of the Legislature that none
93 of the funds appropriated above shall be expended unless members
94 of the Mississippi House of Representatives and Mississippi Senate
95 are notified at least five (5) days prior to a public ceremony
96 announcing the award of any grant in their district or any public
97 announcement or ceremony regarding the groundbreaking or opening
98 of a facility, roadway or bridge for which the Legislature has
99 made funds available. Any signage regarding any public event or
100 any new facility, roadway or bridge shall include the following

101 language: "Funds were made available for this project by the
102 Mississippi State Legislature."

103 **SECTION 5.** It is the intention of the Legislature that the
104 Mississippi Fair Commission shall maintain complete accounting and
105 personnel records related to the expenditure of all funds
106 appropriated under this act and that such records shall be in the
107 same format and level of detail as maintained for Fiscal Year
108 2004. It is further the intention of the Legislature that the
109 agency's budget request for Fiscal Year 2006 shall be submitted to
110 the Joint Legislative Budget Committee in a format and level of
111 detail comparable to the format and level of detail provided
112 during the Fiscal Year 2005 budget request process.

113 **SECTION 6.** No operation, maintenance or service contracts,
114 agreements or obligations for commodities, concessions, or
115 catering services, shall be entered into or renewed by this agency
116 for a period of more than three (3) years nor unless said
117 contracts, agreements or obligations have been made in accordance
118 with Sections 31-7-11, 31-7-13, 31-7-55 and 31-7-57, Mississippi
119 Code of 1972.

120 **SECTION 7.** The money herein appropriated shall be paid by
121 the State Treasurer out of any money in the State Treasury to the
122 credit of the proper fund or funds as set forth in this act, upon
123 warrants issued by the State Fiscal Officer; and the State Fiscal
124 Officer shall issue his warrants upon requisitions signed by the
125 proper person, officer or officers in the manner provided by law.

126 **SECTION 8.** This act shall take effect and be in force from
127 and after July 1, 2004.

HR05\SB3134A.J

Don Richardson
Clerk of the House of Representatives