

House Amendments to Senate Bill No. 3135

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:

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 Treasury to the credit of the Mississippi Institute for Forest
8 Inventory which is comprised of special source funds and donations
9 collected by or otherwise available to the Institute for the
10 purpose of defraying the expenses of the Institute for the period
11 beginning July 1, 2004, and ending June 30, 2005.....
12 \$ 225,534.00.

13 **SECTION 2.** With the funds appropriated under the provisions
14 of this act, the following positions are authorized and shall be
15 under the authority of the State Personnel Board:

16 **AUTHORIZED POSITIONS:**

17 Permanent: Full Time..... 8
18 Part Time..... 0
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.** This appropriation is made for the purpose of
57 providing funds to defray the expenses of the Mississippi
58 Institute for Forest Inventory as established in Section
59 49-19-403.

60 **SECTION 4.** The funds authorized herein shall be used to fund
61 all operations of the agency with the following prohibitions:

62 (1) The agency shall not fill any current or future vacant
63 positions;

64 (2) The agency shall not take any action to promote or
65 otherwise award salary increases through reallocation,

66 reclassification, realignment, education benchmark, career ladder,
67 or any other means to increase salaries of employees or positions
68 except as allowed under the provisions set forth in House Bill No.
69 1279, 2004 Regular Session;

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

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

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

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

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

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

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

96 **SECTION 5.** It is the intention of the Legislature that none
97 of the funds appropriated above shall be expended unless members
98 of the Mississippi House of Representatives and Mississippi Senate
99 are notified at least five (5) days prior to a public ceremony
100 announcing the award of any grant in their district or any public

101 announcement or ceremony regarding the groundbreaking or opening
102 of a facility, roadway or bridge for which the Legislature has
103 made funds available. Any signage regarding any public event or
104 any new facility, roadway or bridge shall include the following
105 language: "Funds were made available for this project by the
106 Mississippi State Legislature."

107 **SECTION 6.** It is the intention of the Legislature that the
108 Mississippi Institute for Forest Inventory shall maintain complete
109 accounting and personnel records related to the expenditure of all
110 funds appropriated under this act and that such records shall be
111 in the same format and level of detail as maintained for Fiscal
112 Year 2004. It is further the intention of the Legislature that
113 the agency's budget request for Fiscal Year 2006 shall be
114 submitted to the Joint Legislative Budget Committee in a format
115 and level of detail comparable to the format and level of detail
116 provided during the Fiscal Year 2005 budget request process.

117 **SECTION 7.** It is the intention of the Legislature that the
118 Mississippi Institute for Forest Inventory is hereby authorized to
119 accept, budget and expend funds, not to exceed One Million Dollars
120 (\$1,000,000.00), from any source in accordance with rules and
121 regulations of the Department of Finance and Administration in a
122 manner consistent with the escalation of federal funds.

123 **SECTION 8.** The money herein appropriated shall be paid by
124 the State Treasurer out of any money in the proper fund or funds
125 as set forth in this act, upon warrants issued by the State Fiscal
126 Officer; and the State Fiscal Officer shall issue his warrants
127 upon requisitions signed by the proper person, officer or officers
128 in the manner provided by law.

129 **SECTION 9.** This act shall take effect and be in force from
130 and after July 1, 2004.

HR05\SB3135A.J

Don Richardson
Clerk of the House of Representatives