

**House Amendments to Senate Bill No. 3136**

**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 General Fund not otherwise appropriated, to the  
8 Tennessee-Tombigbee Waterway Development Authority for the  
9 purposes enumerated in Section 51-27-1, Mississippi Code of 1972,  
10 for the fiscal year beginning July 1, 2004, and ending  
11 June 30, 2005..... \$           92,748.00.

12       **SECTION 2.** The following sum, or so much thereof as may be  
13 necessary, is hereby authorized for expenditure out of any special  
14 source funds which are collected by or otherwise become available  
15 for the purpose of defraying the expenses of the  
16 Tennessee-Tombigbee Waterway Development Authority for the fiscal  
17 year beginning July 1, 2004, and ending June 30, 2005.....  
18 ..... \$           222,080.00.

19       **SECTION 3.** Of the funds appropriated under the provisions of  
20 Sections 1 and 2, not more than the amounts set forth below shall  
21 be expended for the respective major objects or purposes of  
22 expenditure:

23       **MAJOR OBJECTS OF EXPENDITURE:**

24       Personal Services:

25               Salaries, Wages and Fringe Benefits.. \$           177,078.00

26               Travel and Subsistence.....                   52,500.00

27               Contractual Services.....                       75,250.00

28               Commodities.....                                 10,000.00

29       Capital Outlay:

30               Other Than Equipment.....                       0.00

31	Equipment.....	0.00
32	Subsidies, Loans and Grants.....	<u>0.00</u>
33	Total.....	\$ 314,828.00

34 FUNDING:

35	General Funds.....	\$ 92,748.00
36	Special Funds.....	<u>222,080.00</u>
37	Total.....	\$ 314,828.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	3
40	Part Time.....	0
41	Time-Limited: Full Time.....	0
42	Part Time.....	0

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

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48 act and which are withdrawn and no longer available.

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

51 (1) The agency shall not fill any current or future vacant  
52 positions;

53 (2) The agency shall not take any action to promote or  
54 otherwise award salary increases through reallocation,  
55 reclassification, realignment, education benchmark, career ladder,  
56 or any other means to increase salaries of employees or positions  
57 except as allowed under the provisions set forth in House Bill No.  
58 1279, 2004 Regular Session;

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

62 (4) The agency shall not expend funds for the purchase of or  
63 contract for cellular phones, two-way radios or pagers, except for  
64 support of employees in the Department of Public Safety and the  
65 Bureau of Narcotics as recommended by Information Technology

66 Services or as allowed under the provisions set forth in House  
67 Bill No. 1279, 2004 Regular Session;

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

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

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

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

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

85 **SECTION 5.** It is the intention of the Legislature that none  
86 of the funds appropriated above shall be expended unless members  
87 of the Mississippi House of Representatives and Mississippi Senate  
88 are notified at least five (5) days prior to a public ceremony  
89 announcing the award of any grant in their district or any public  
90 announcement or ceremony regarding the groundbreaking or opening  
91 of a facility, roadway or bridge for which the Legislature has  
92 made funds available. Any signage regarding any public event or  
93 any new facility, roadway or bridge shall include the following  
94 language: "Funds were made available for this project by the  
95 Mississippi State Legislature."

96 **SECTION 6.** It is the intention of the Legislature that the  
97 Tennessee-Tombigbee Waterway Development Authority shall maintain  
98 complete accounting and personnel records related to the  
99 expenditure of all funds appropriated under this act and that such  
100 records shall be in the same format and level of detail as

101 maintained for Fiscal Year 2004. It is further the intention of  
102 the Legislature that the agency's budget request for Fiscal Year  
103 2006 shall be submitted to the Joint Legislative Budget Committee  
104 in a format and level of detail comparable to the format and level  
105 of detail provided during the Fiscal Year 2005 budget request  
106 process.

107       **SECTION 7.** It shall be unlawful for any officer, employee or  
108 other person whatsoever to use or permit or authorize the use of  
109 any automobile or any other motor vehicle owned by the State of  
110 Mississippi or any department, agency or institution thereof for  
111 any purpose other than upon the official business of the State of  
112 Mississippi or any agency, department or institution thereof.

113       It is the intent of the Legislature that motor vehicles  
114 authorized to be owned and operated by this agency shall comply  
115 with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

116       **SECTION 8.** The money herein appropriated shall be paid by  
117 the State Treasurer out of any money in the State Treasury to the  
118 credit of the proper fund or funds as set forth in this act, upon  
119 warrants issued by the State Fiscal Officer; and the State Fiscal  
120 Officer shall issue his warrants upon requisitions signed by the  
121 proper person, officer or officers, in the manner provided by law.

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

HR05\SB3136A.J

Don Richardson  
Clerk of the House of Representatives