

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3131

BY: Committee

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

5 **SECTION 1.** The following sum of money, or so much thereof as
6 may be necessary, is hereby appropriated out of any money in the
7 State Treasury to the credit of the Mississippi Farmers Central
8 Market, to defray the expenses of said Farmers Central Market and
9 to provide for the payment of any indebtedness which may accrue
10 for the fiscal year beginning July 1, 2004, and ending
11 June 30, 2005..... \$ 313,280.00.

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

14 AUTHORIZED POSITIONS:

15 Permanent:	Full Time.....	6
16	Part Time.....	0
17 Time-Limited:	Full Time.....	0
18	Part Time.....	0

19 With the funds herein appropriated, it is the intention of
20 the Legislature that it shall be the agency's responsibility to
21 make certain that funds required to be appropriated for "Personal
22 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
23 funds appropriated for that purpose, unless programs or positions

24 are added to the agency's Fiscal Year 2006 budget by the
25 Mississippi Legislature. Based on data provided by the
26 Legislative Budget Office, the State Personnel Board shall
27 determine and publish the projected annual cost to fully fund all
28 appropriated positions in compliance with the provisions of this
29 act. It shall be the responsibility of the agency head to insure
30 that no single personnel action increases this projected annual
31 cost and/or the Fiscal Year 2005 appropriation for "Personal
32 Services" when annualized, with the exception of escalated funds.
33 If, at the time the agency takes any action to change "Personal
34 Services," the State Personnel Board determines that the agency
35 has taken an action which would cause the agency to exceed this
36 projected annual cost or the Fiscal Year 2005 "Personal Services"
37 appropriated level, when annualized, then only those actions which
38 reduce the projected annual cost and/or the appropriation
39 requirement will be processed by the State Personnel Board until
40 such time as the requirements of this provision are met.

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

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

54 Provided, however, that all funds received from any and all
55 sources shall be deposited in a special fund in the State Treasury
56 to the credit of the Mississippi Farmers Central Market.

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

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

61 (2) The agency shall not take any action to promote or
62 otherwise award salary increases through reallocation,
63 reclassification, realignment, education benchmark, career ladder,
64 or any other means to increase salaries of employees or positions
65 except as allowed under the provisions set forth in House Bill No.
66 1279, 2004 Regular Session;

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

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

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

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

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

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

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

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

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

114 **SECTION 6.** The board shall promulgate and adopt reasonable
115 rules and regulations, including employing attendants, to regulate
116 and provide for the parking of motor vehicles at the farm produce
117 marketing facility near the Mississippi Memorial Stadium for

118 regularly scheduled football games, and said board shall make said
119 facility available for such purpose and shall make a reasonable
120 charge therefor comparable to the charge made for parking in the
121 area contiguous to the stadium. The net proceeds from such
122 parking shall be deposited in the State Treasury to the credit of
123 the Mississippi Farmers Central Market and shall be used solely
124 for general maintenance and repair of the Central Market
125 facilities.

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

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