

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3136

BY: Committee

**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.....		0.00
33	Total.....	\$	314,828.00

34 FUNDING:

35	General Funds.....	\$	92,748.00
36	Special Funds.....		222,080.00
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48 act and which are withdrawn and no longer available.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.