

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3139

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, for the purpose of
8 defraying the general expenses of the operation of the Mississippi
9 National Guard for the fiscal year beginning July 1, 2004, and
10 ending June 30, 2005..... \$ 4,117,994.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated to the Mississippi National
13 Guard, out of any money in the State Treasury to the credit of the
14 Camp Shelby Timber Fund-No. 3700, as created by Chapter 187, Laws
15 of 1954, as amended; the Army National Guard Programs Fund-No.
16 3701; the Camp Shelby Base Operations Fund-No. 3705; and the Air
17 National Guard Programs Fund-No. 3709, for the purpose of carrying
18 out the provisions of applicable statutes and federal/state
19 agreements for the fiscal year beginning July 1, 2004, and ending
20 June 30, 2005..... \$ 52,215,049.00.

21 **SECTION 3.** With the funds appropriated under the provisions
22 of Sections 1 and 2, the following positions are authorized:

23 AUTHORIZED POSITIONS:

24 Full Time..... 726
25 Part Time..... 0

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

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31 act and which are withdrawn and no longer available.

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

34 (1) The agency shall not fill any current or future vacant
35 positions;

36 (2) The agency shall not take any action to promote or
37 otherwise award salary increases through reallocation,
38 reclassification, realignment, education benchmark, career ladder,
39 or any other means to increase salaries of employees or positions
40 except as allowed under the provisions set forth in House Bill No.
41 1279, 2004 Regular Session;

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

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

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

53 (6) The agency shall not expend funds for public relation
54 activities regarding the functions, programs or services of the

55 agency except as allowed under the provisions set forth in House
56 Bill No. 1279, 2004 Regular Session;

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

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

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

68 **SECTION 5.** It is the intention of the Legislature that none
69 of the funds appropriated above shall be expended unless members
70 of the Mississippi House of Representatives and Mississippi Senate
71 are notified at least five (5) days prior to a public ceremony
72 announcing the award of any grant in their district or any public
73 announcement or ceremony regarding the groundbreaking or opening
74 of a facility, roadway or bridge for which the Legislature has
75 made funds available. Any signage regarding any public event or
76 any new facility, roadway or bridge shall include the following
77 language: "Funds were made available for this project by the
78 Mississippi State Legislature."

79 **SECTION 6.** It is the intention of the Legislature that the
80 Mississippi National Guard shall maintain complete accounting and
81 personnel records related to the expenditure of all funds
82 appropriated under this act and that such records shall be in the
83 same format and level of detail as maintained for Fiscal Year
84 2004. It is further the intention of the Legislature that the
85 agency's budget request for Fiscal Year 2006 shall be submitted to
86 the Joint Legislative Budget Committee in a format and level of

87 detail comparable to the format and level of detail provided
88 during the Fiscal Year 2005 budget request process.

89 **SECTION 7.** All funds authorized to be expended herein shall
90 be expended and otherwise accounted for in accordance with the
91 provisions of Section 27-103-1 et seq., Mississippi Code of 1972.
92 If not needed for other purposes, the Adjutant General is hereby
93 expressly authorized to invest any part of or all monies herein
94 appropriated out of the Camp Shelby Timber Fund at the highest
95 rate of interest obtainable and credit interest accruing on such
96 investments to the respective fund. Such monies may be invested
97 in any short-term bonds, notes or other direct obligations of the
98 United States of America or the State of Mississippi or any county
99 or municipality of this state, which said county or municipal
100 bonds have been approved by a reputable bonds attorney or have
101 been validated by a decree of the court, and in any event the said
102 bonds, notes or obligations in which such funds are invested shall
103 mature or be redeemable prior to the time the funds so invested
104 will be needed for the refund or refunds herein provided for.

105 **SECTION 8.** The acceptance and expenditure of federal funds
106 which may become available for the purpose of defraying the
107 expenses of the Mississippi National Guard is hereby authorized
108 and approved, provided such expenditures are reported and
109 otherwise handled in accordance with the state budget law, same
110 being Section 27-103-1 et seq., Mississippi Code of 1972.

111 **SECTION 9.** The acceptance and expenditure of federal funds
112 which may become available to the Mississippi National Guard for
113 construction purposes is hereby authorized and approved, provided
114 such receipts and expenditures are reported and otherwise handled
115 in accordance with the state budget law, same being Section
116 27-103-1 et seq., Mississippi Code of 1972.

117 **SECTION 10.** Of the funds appropriated in Section 2, Two
118 Million Sixty-four Thousand Five Hundred Sixteen Dollars

119 (\$2,064,516.00) shall be derived from funds transferred from the
120 State Department of Education to the Mississippi National Guard
121 for the support of the Youth Challenge Program at Camp Shelby.

122 **SECTION 11.** The money herein appropriated shall be paid by
123 the State Treasurer out of any money in the State Treasury to the
124 credit of the proper fund or funds as set forth in this act, upon
125 warrants issued by the State Fiscal Officer; and the State Fiscal
126 Officer shall issue his warrants upon requisitions signed by the
127 proper person, officer or officers, in the manner provided by law.

128 **SECTION 12.** This act shall take effect and be in force from
129 and after July 1, 2004.