

By: Senator(s) Hall, Burton, Dearing, Kirby, To: Appropriations
Mettetal, Ross, Walls, White (5th)

SENATE BILL NO. 3133
(As Passed the Senate)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2000.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 SECTION 1. The following sum of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 State General Fund not otherwise appropriated, to defray the
7 expenses of the office of the State Treasurer for the fiscal year
8 beginning July 1, 1999 and ending June 30, 2000.....
9 \$ 753,585.00.

10 SECTION 2. The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any funds in the special
12 fund entitled Abandoned Property Fund in the State Treasury for
13 the purpose of defraying expenses of the State Treasurer in
14 administering the Uniform Disposition of Unclaimed Property and
15 certain other expenses of the office, for the fiscal year
16 beginning July 1, 1999, and ending June 30, 2000.....
17 \$ 1,835,775.00.

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

22 MAJOR OBJECTS OF EXPENDITURE:

23 Personal Services:

24 Salaries, Wages and Fringe Benefits.. \$ 1,337,805.00

25 Travel and Subsistence..... 13,565.00

26 Contractual Services..... 982,515.00

27	Commodities.....	140,000.00
28	Capital Outlay:	
29	Other Than Equipment.....	0.00
30	Equipment.....	103,475.00
31	Subsidies, Loans and Grants.....	<u>12,000.00</u>
32	Total.....	\$ 2,589,360.00

33 FUNDING:

34	General Funds.....	\$ 753,585.00
35	Special Funds.....	<u>1,835,775.00</u>
36	Total.....	\$ 2,589,360.00

37 AUTHORIZED POSITIONS:

38	Permanent:	Full Time.	29
39		Part Time.	0
40	Time-Limited:	Full Time.	0
41		Part Time.	0

42 SECTION 4. From the funds provided in this act, funds may be
43 expended for the following purposes: The State Treasurer may
44 invest up to one-half of the monies of the tobacco settlement in
45 any of the investments authorized for the Mississippi Prepaid
46 Affordable College Tuition Program under Section 37-155-9, and
47 such investments shall be subject to the limitations prescribed by
48 Section 37-155-9. For purposes of this section, "tobacco
49 settlement" means the settlement of the case of Mike Moore,
50 Attorney General ex rel. State of Mississippi v. The American
51 Tobacco Company et al. (Chancery Court of Jackson County,
52 Mississippi, Cause No. 94-1429) and the settlement of any case
53 brought against tobacco companies by another state.

54 SECTION 5. In addition to all other sums herein
55 appropriated, the following sum, or so much thereof as may be
56 necessary, is hereby appropriated out of any money in the State
57 Treasury to the credit of the Education Improvement Trust Fund No.
58 3219 for the purpose of investing funds for the fiscal year
59 beginning July 1, 1999, and ending June 30, 2000.....

60 \$ 87,000.00.

61 SECTION 6. The following sum, or so much thereof as may be
62 necessary, is hereby appropriated out of any money in the State
63 Treasury to the credit of the Mississippi Prepaid Affordable
64 College Tuition Administrative Fund to defray the costs of the
65 Mississippi Prepaid Affordable College Tuition Program for the
66 fiscal year beginning July 1, 1999, and ending June 30, 2000.....
67 \$ 2,100,839.00.

68 With the funds appropriated in this section, the following
69 positions are authorized:

70 AUTHORIZED POSITIONS:

71 Permanent: Full Time 5

72 SECTION 7. From the funds provided in this act, funds may be
73 expended for the following purposes, in compliance with the
74 policies established by the State Personnel Board and any
75 conditions placed on such expenditures:

76 (a) The components of the Variable Compensation Plan
77 shall be maintained within the constraints of the funds
78 appropriated herein.

79 (b) Funds are provided to adjust the Variable
80 Compensation Plan, including realignment, to ensure that all
81 full-time employees with at least six (6) months of continuous
82 current service, as of June 30, 1999, receive an increase of One
83 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
84 adjust critical job classes up to an additional One Thousand
85 Dollars (\$1,000.00).

86 (c) If an employee is currently at or above the end
87 salary for his or her job classification, then the increase shall
88 be built into the employee's base salary. To be eligible for any
89 increase authorized in this section, employees may not have a
90 current performance rating below "meets expectations" as of the
91 effective date of the increase. Employees who subsequently
92 receive a performance rating of "meets expectations" or above

during Fiscal Year 2000 shall receive the salary increase effective the date of the rating.

It is the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2001 do not exceed Fiscal Year 2000 funds appropriated for that purpose unless programs or positions are added to the agency's budget by the Mississippi Legislature.

SECTION 8. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) from administrative fees charged for the administration of the Mississippi Prepaid Affordable College Tuition Program and deposited in the Mississippi Prepaid Affordable College Tuition Administrative Fund. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 9. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend funds for the purpose of defraying the cost of administering the Mississippi Prepaid Affordable College Tuition Program in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) which become available from interest earnings on any funds authorized for administration of said program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid

Affordable College Tuition Program, for the fiscal year beginning
July 1, 1999, and ending June 30, 2000..... \$ 1,000,000.00.

SECTION 11. No part of the funds appropriated herein shall
be used in the payment of attorney's fees, nor shall any of said
funds be used either directly or indirectly, for the purpose of
paying any clerk, stenographer, assistant, deputy or other person
who may be related by blood or marriage within the third degree,
computed by the rules of the civil law, to the official employing
or having the right of employment or selection thereof; and in the
event of any such payment, then the official or person approving
and making or receiving such payment shall be jointly and
severally liable to return to the State of Mississippi and to pay
into the State Treasury three (3) times any such amount so paid or
received, to be recovered at suit of the Attorney General;
provided that when the relationship is by affinity and the person
through whom the relationship was established is dead, this
provision shall not apply.

SECTION 12. Of the funds appropriated under the provisions
of Sections 1 and 2, and authorized for expenditure in Section 3,
funds in the amount of Fourteen Thousand One Hundred Dollars
(\$14,100.00) are included to defray the annualized costs of agency
specific realignments or reallocations for three (3) positions
within the State Treasurer's Office.

The realignments or reallocations referenced within this
section are applicable only to the State Treasurer's Office and
said salary adjustments shall not be construed to apply to any
other positions under the purview of the State Personnel Board.

SECTION 13. Of the funds appropriated under the provisions
of Section 6, funds in the amount of One Thousand Nine Hundred
Dollars (\$1,900.00) are included to defray the annualized cost of
an agency specific realignment or reallocation for one (1)
position within the State Treasurer's Office.

The realignment or reallocation referenced within this

section are applicable only to the State Treasurer's Office and said salary adjustment shall not be construed to apply to any other positions under the purview of the State Personnel Board.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 1999.