

*****Pending***
AMENDMENT No. 1 PROPOSED TO**

Senate Bill NO. 3133

By Representative(s) Committee

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

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. Such funds
54 shall be deposited in a special fund in the State Treasury which
55 shall retain all the interest earned on the investment of such
56 funds and shall remain in the special fund until appropriated or

57 transferred by an act of the Legislature.

58 SECTION 5. In addition to all other sums herein
59 appropriated, the following sum, or so much thereof as may be
60 necessary, is hereby appropriated out of any money in the State
61 Treasury to the credit of the Education Improvement Trust Fund No.
62 3219 for the purpose of investing funds for the fiscal year
63 beginning July 1, 1999, and ending June 30, 2000.....
64 \$ 87,000.00.

65 SECTION 6. The following sum, or so much thereof as may be
66 necessary, is hereby appropriated out of any money in the State
67 Treasury to the credit of the Mississippi Prepaid Affordable
68 College Tuition Administrative Fund to defray the costs of the
69 Mississippi Prepaid Affordable College Tuition Program for the
70 fiscal year beginning July 1, 1999, and ending June 30, 2000.....
71 \$ 2,100,839.00.

72 With the funds appropriated in this section, the following
73 positions are authorized:

74 AUTHORIZED POSITIONS:

75 Permanent: Full Time 5

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

80 (a) The components of the Variable Compensation Plan
81 shall be maintained within the constraints of the funds
82 appropriated herein.

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

89 Dollars (\$1,000.00).

90 (c) If an employee is currently at or above the end
91 salary for his or her job classification, then the increase shall
92 be built into the employee's base salary. To be eligible for any
93 increase authorized in this section, employees may not have a
94 current performance rating below "meets expectations" as of the
95 effective date of the increase. Employees who subsequently
96 receive a performance rating of "meets expectations" or above
97 during Fiscal Year 2000 shall receive the salary increase
98 effective the date of the rating.

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

104 SECTION 8. It is the intention of the Legislature that the
105 State Treasurer is hereby authorized to accept, budget and expend
106 an amount not to exceed Five Hundred Thousand Dollars
107 (\$500,000.00) from administrative fees charged for the
108 administration of the Mississippi Prepaid Affordable College
109 Tuition Program and deposited in the Mississippi Prepaid
110 Affordable College Tuition Administrative Fund. Such funds shall
111 be escalated in accordance with the rules and regulations of the
112 Department of Finance and Administration in a manner consistent
113 with the escalation of federal funds.

114 SECTION 9. It is the intention of the Legislature that the
115 State Treasurer is hereby authorized to accept, budget and expend
116 funds for the purpose of defraying the cost of administering the
117 Mississippi Prepaid Affordable College Tuition Program in an
118 amount not to exceed Five Hundred Thousand Dollars (\$500,000.00)
119 which become available from interest earnings on any funds
120 authorized for administration of said program. Such funds shall

121 be escalated in accordance with the rules and regulations of the
122 Department of Finance and Administration in a manner consistent
123 with the escalation of federal funds.

124 SECTION 10. In addition to all other sums herein
125 appropriated, the following sum, or so much thereof as may be
126 necessary, is hereby appropriated out of any money in the State
127 Treasury to the credit of the Mississippi Prepaid Affordable
128 College Tuition Trust Fund for the purpose of paying all amounts
129 due for prepaid tuition contracts of the Mississippi Prepaid
130 Affordable College Tuition Program, for the fiscal year beginning
131 July 1, 1999, and ending June 30, 2000..... \$ 1,000,000.00.

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

147 SECTION 12. Of the funds appropriated under the provisions
148 of Sections 1 and 2, and authorized for expenditure in Section 3,
149 funds in the amount of Fourteen Thousand One Hundred Dollars
150 (\$14,100.00) are included to defray the annualized costs of agency
151 specific realignments or reallocations for three (3) positions
152 within the State Treasurer's Office.

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

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

162 The realignment or reallocation referenced within this
163 section are applicable only to the State Treasurer's Office and
164 said salary adjustment shall not be construed to apply to any
165 other positions under the purview of the State Personnel Board.

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

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