

By: Senator(s) Gordon, Thames, Farris,
Kirby, Chaney, Frazier, Little, Walls,
Williamson

To: Appropriations

SENATE BILL NO. 3098
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2002.

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, 2001, and ending June 30, 2002.....
9 \$ 624,275.00.

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, 2001, and ending June 30, 2002.....
17 \$ 2,169,359.00.

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..	\$ 1,564,242.00
25	Travel and Subsistence.....	6,782.00
26	Contractual Services.....	1,063,950.00

27	Commodities.....	63,765.00
28	Capital Outlay:	
29	Other Than Equipment.....	0.00
30	Equipment.....	94,895.00
31	Subsidies, Loans and Grants.....	<u>0.00</u>
32	Total.....	\$ 2,793,634.00

33 FUNDING:

34	General Funds.....	\$ 624,275.00
35	Special Funds.....	<u>2,169,359.00</u>
36	Total.....	\$ 2,793,634.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time.....	33
39	Part Time.....	0
40	Time-Limited: Full Time.....	0
41	Part Time.....	0

42 SECTION 4. In addition to all other sums herein
43 appropriated, the following sum, or so much thereof as may be
44 necessary, is hereby appropriated out of any money in the State
45 Treasury to the credit of the Education Improvement Trust Fund No.
46 3219 for the purpose of investing funds for the fiscal year
47 beginning July 1, 2001, and ending June 30, 2002.....
48 \$ 87,000.00.

49 SECTION 5. The following sum, or so much thereof as may be
50 necessary, is hereby appropriated out of any money in the State
51 Treasury to the credit of the Mississippi Prepaid Affordable
52 College Tuition Administrative Fund to defray the costs of the
53 Mississippi Prepaid Affordable College Tuition Program for the
54 fiscal year beginning July 1, 2001, and ending June 30, 2002.....
55 \$ 1,251,543.00.

56 With the funds appropriated in this section, the following
57 positions are authorized:

58 AUTHORIZED POSITIONS:

59	Permanent: Full Time.....	5
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60 SECTION 6. In addition to all other sums herein appropriated,
61 the following sum, or so much thereof as may be necessary, is
62 hereby appropriated out of any money in the State Treasury to the
63 credit of the Mississippi Prepaid Affordable College Tuition Trust
64 Fund for the purpose of paying all amounts due for prepaid tuition
65 contracts of the Mississippi Prepaid Affordable College Tuition
66 Program, for the fiscal year beginning July 1, 2001, and ending
67 June 30, 2002..... \$ 2,000,000.00.

68 SECTION 7. The following sum, or so much thereof as may be
69 necessary, is hereby appropriated out of any money in the State
70 Treasury to the credit of the Health Care Expendable Fund, created
71 under House Bill No. 519, 1999 Regular Session, for the purpose of
72 defraying the expenses of the Office of the State Treasurer for
73 the fiscal year beginning July 1, 2001, and ending June 30, 2002.
74 \$ 161,776.00.

75 With the funds appropriated in this section, the following
76 positions are authorized:

77 AUTHORIZED POSITIONS:

78 Permanent: Full Time..... 2

79 SECTION 8. The following sum, or so much thereof as may be
80 necessary, is hereby appropriated out of any money in the State
81 Treasury to the credit of the Mississippi Affordable College
82 Savings Administrative Fund to defray the costs of the Mississippi
83 Affordable College Savings Program for the fiscal year beginning
84 July 1, 2001, and ending June 30, 2002..... \$ 597,507.00.

85 With the funds appropriated in this section, the following
86 positions are authorized:

87 AUTHORIZED POSITIONS:

88 Permanent: Full Time..... 2

89 SECTION 9. It is the intention of the Legislature that the
90 State Treasurer is hereby authorized to accept, budget and expend
91 an amount not to exceed One Million Dollars (\$1,000,000.00) from
92 any funds deposited into the Mississippi Affordable College

93 Savings Fund from administrative fees, grants, other payments or
94 investment earnings received by the Mississippi Affordable College
95 Savings Program. Such funds shall be escalated in accordance with
96 the rules and regulations of the Department of Finance and
97 Administration in a manner consistent with the escalation of
98 federal funds.

99 SECTION 10. With the funds herein appropriated, it is the
100 intention of the Legislature that it shall be the agency's
101 responsibility to make certain that funds required to be
102 appropriated for "Personal Services" for Fiscal Year 2003 do not
103 exceed Fiscal Year 2002 funds appropriated for that purpose,
104 unless programs or positions are added to the agency's Fiscal Year
105 2003 budget by the Mississippi Legislature. Based on data
106 provided by the Legislative Budget Office, the State Personnel
107 Board shall determine and publish the projected annual cost to
108 fully fund all appropriated positions in compliance with the
109 provisions of this act. It shall be the responsibility of the
110 agency head to insure that no single personnel action increases
111 this projected annual cost and/or the Fiscal Year 2002
112 appropriation for "Personal Services" when annualized. If, at the
113 end of any calendar month, the State Personnel Board determines
114 that the agency has taken action(s) which would cause the agency
115 to exceed this projected annual cost or the Fiscal Year 2002
116 "Personal Services" appropriated level, when annualized, then only
117 those actions which reduce the projected annual cost and/or the
118 appropriation requirement will be processed by the State Personnel
119 Board until such time as the requirements of this provision are
120 met.

121 SECTION 11. It is the intention of the Legislature that the
122 State Treasurer is hereby authorized to accept, budget and expend
123 an amount not to exceed One Million Dollars (\$1,000,000.00) from
124 administrative fees charged and from interest earnings on any
125 funds authorized for administration of the Mississippi Prepaid

126 Affordable College Tuition Program, for the administration of the
127 Mississippi Prepaid Affordable College Tuition Program. Such
128 funds shall be escalated in accordance with the rules and
129 regulations of the Department of Finance and Administration in a
130 manner consistent with the escalation of federal funds.

131 SECTION 12. No part of the funds appropriated herein shall
132 be used in the payment of attorney's fees, nor shall any of said
133 funds be used either directly or indirectly, for the purpose of
134 paying any clerk, stenographer, assistant, deputy or other person
135 who may be related by blood or marriage within the third degree,
136 computed by the rules of the civil law, to the official employing
137 or having the right of employment or selection thereof; and in the
138 event of any such payment, then the official or person approving
139 and making or receiving such payment shall be jointly and
140 severally liable to return to the State of Mississippi and to pay
141 into the State Treasury three (3) times any such amount so paid or
142 received, to be recovered at suit of the Attorney General;
143 provided that when the relationship is by affinity and the person
144 through whom the relationship was established is dead, this
145 provision shall not apply.

146 SECTION 13. The money herein appropriated shall be paid by
147 the State Treasurer out of any money in the State Treasury to the
148 credit of the proper fund or funds as set forth in this act, upon
149 warrants issued by the State Fiscal Officer; and the State Fiscal
150 Officer shall issue his warrants upon requisitions signed by the
151 proper person, officer or officers in the manner provided by law.

152 SECTION 14. This act shall take effect and be in force from
153 and after July 1, 2001.