

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

Senate Bill NO. 3137

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, 2002, and ending June 30, 2003.....
9 \$ 589,823.00.

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, 2002, and ending June 30, 2003.....
17 \$ 2,244,494.00.

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..	\$	1,484,355.00
25	Travel and Subsistence.....		1,809.00
26	Contractual Services.....		1,131,639.00
27	Commodities.....		197,514.00
28	Capital Outlay:		
29	Other Than Equipment.....		0.00
30	Equipment.....		19,000.00
31	Subsidies, Loans and Grants.....		<u>0.00</u>
32	Total.....	\$	2,834,317.00

33 FUNDING:

34	General Funds.....	\$	589,823.00
35	Special Funds.....		<u>2,244,494.00</u>
36	Total.....	\$	2,834,317.00

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, 2002, and ending June 30, 2003.....
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, 2002, and ending June 30, 2003.....
55 \$ 1,241,147.00.

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

58 AUTHORIZED POSITIONS:

59 Permanent: Full Time..... 5

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, 2002, and ending
67 June 30, 2003..... \$ 4,000,000.00.

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, 2002, and ending June 30, 2003.
74 \$ 116,833.00.

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, 2002, and ending June 30, 2003..... \$ 347,009.00.

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.** Funds are provided herein to adjust the Variable
100 Compensation Plan to ensure that all full-time employees receive a
101 pay increase equal to fifty percent (50%) of the realignment
102 component of the Variable Compensation Plan or Six Hundred Dollars
103 (\$600.00), whichever is greater, beginning on January 1, 2003.

104 With the funds herein appropriated, it is the intention of
105 the Legislature that it shall be the agency's responsibility to
106 make certain that funds required to be appropriated for "Personal
107 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
108 funds appropriated for that purpose, unless programs, positions or
109 pay increases are added to the agency's budget by the Mississippi
110 Legislature. Based on data provided by the Legislative Budget
111 Office, the State Personnel Board shall, on July 1, 2002, publish
112 separate annual projection reports, based on July 1, 2002 data,
113 for the period of July 1, 2002 through December 31, 2002, and
114 January 1, 2003 through June 30, 2003, that project the annual
115 cost to fully fund all appropriated positions in compliance with
116 the provisions of this act. It shall be the responsibility of the
117 agency head to ensure that no single personnel action increases
118 this projected cost and/or the Fiscal Year 2003 appropriation for
119 "Personal Services," as annualized on a semi-annual basis in
120 accordance with the provisions of this act. If, at the end of any
121 calendar month, the State Personnel Board determines that the
122 agency has taken action(s) which would cause the agency to exceed
123 this projected annual cost or the Fiscal Year 2003 "Personal
124 Services" appropriated level, when annualized in compliance with
125 the provisions of this act, then only those actions which reduce
126 the projected annual cost and/or the appropriation requirement
127 will be processed by the State Personnel Board until such time as
128 the requirements of this provision are met.

129 **SECTION 11.** It is the intention of the Legislature that the
130 State Treasurer is hereby authorized to accept, budget and expend
131 an amount not to exceed One Million Dollars (\$1,000,000.00) from
132 administrative fees charged and from interest earnings on any
133 funds authorized for administration of the Mississippi Prepaid
134 Affordable College Tuition Program, for the administration of the
135 Mississippi Prepaid Affordable College Tuition Program. Such
136 funds shall be escalated in accordance with the rules and
137 regulations of the Department of Finance and Administration in a
138 manner consistent with the escalation of federal funds.

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

154 **SECTION 13.** The money herein appropriated shall be paid by
155 the State Treasurer out of any money in the State Treasury to the
156 credit of the proper fund or funds as set forth in this act, upon
157 warrants issued by the State Fiscal Officer; and the State Fiscal
158 Officer shall issue his warrants upon requisitions signed by the
159 proper person, officer or officers in the manner provided by law.

160 **SECTION 14.** This act shall take effect and be in force from
161 and after July 1, 2002.