

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

To: Appropriations

SENATE BILL NO. 2939

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2004.

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, 2003, and ending June 30, 2004.....
9 \$ 588,248.00.

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, 2003, and ending June 30, 2004.....
17 \$ 2,302,430.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Sections 1 and 2, the following positions are authorized:

20 AUTHORIZED POSITIONS:

21	Permanent:	Full Time.....	31
22		Part Time.....	0
23	Time-Limited:	Full Time.....	0
24		Part Time.....	0

25 **SECTION 4.** In addition to all other sums herein
26 appropriated, the following sum, or so much thereof as may be
27 necessary, is hereby appropriated out of any money in the State



28 Treasury to the credit of the Education Improvement Trust Fund No.
29 3219 for the purpose of investing funds for the fiscal year
30 beginning July 1, 2003, and ending June 30, 2004.....
31 \$ 87,000.00.

32 **SECTION 5.** The following sum, or so much thereof as may be
33 necessary, is hereby appropriated out of any money in the State
34 Treasury to the credit of the Mississippi Prepaid Affordable
35 College Tuition Administrative Fund to defray the costs of the
36 Mississippi Prepaid Affordable College Tuition Program for the
37 fiscal year beginning July 1, 2003, and ending June 30, 2004.....
38 \$ 1,388,129.00.

39 With the funds appropriated in this section, the following
40 positions are authorized:

41 AUTHORIZED POSITIONS:

42 Permanent: Full Time..... 5

43 It is the intention of the Legislature that the State
44 Treasurer is hereby authorized to accept, budget and expend an
45 amount not to exceed One Million Dollars (\$1,000,000.00) from
46 administrative fees charged and from interest earnings on any
47 funds authorized for administration of the Mississippi Prepaid
48 Affordable College Tuition Program, for the administration of the
49 Mississippi Prepaid Affordable College Tuition Program. Such
50 funds shall be escalated in accordance with the rules and
51 regulations of the Department of Finance and Administration in a
52 manner consistent with the escalation of federal funds.

53 **SECTION 6.** The following sum, or so much thereof as may be
54 necessary, is hereby appropriated out of any money in the State
55 Treasury to the credit of the Mississippi Prepaid Affordable
56 College Tuition Trust Fund for the purpose of paying all amounts
57 due for prepaid tuition contracts of the Mississippi Prepaid
58 Affordable College Tuition Program, for the fiscal year beginning
59 July 1, 2003, and ending June 30, 2004..... \$ 7,000,000.00.



60 It is the intention of the Legislature that the State
61 Treasurer is hereby authorized to accept, budget and expend an
62 amount not to exceed One Million Dollars (\$1,000,000.00) from any
63 funds authorized for the Mississippi Prepaid Affordable College
64 Tuition Program, for paying amounts due for prepaid tuition
65 contracts of the Mississippi Prepaid Affordable College Tuition
66 Program. Such funds shall be escalated in accordance with the
67 rules and regulations of the Department of Finance and
68 Administration in a manner consistent with the escalation of
69 federal funds.

70 **SECTION 7.** The following sum, or so much thereof as may be
71 necessary, is hereby appropriated out of any money in the State
72 Treasury to the credit of the Health Care Expendable Fund, created
73 under House Bill No. 519, 1999 Regular Session, for the purpose of
74 defraying the expenses of the Office of the State Treasurer for
75 the fiscal year beginning July 1, 2003, and ending
76 June 30, 2004..... \$ 116,833.00.

77 With the funds appropriated in this section, the following
78 positions are authorized:

79 AUTHORIZED POSITIONS:

80 Permanent: Full Time..... 2

81 **SECTION 8.** The following sum, or so much thereof as may be
82 necessary, is hereby appropriated out of any money in the State
83 Treasury to the credit of the Mississippi Affordable College
84 Savings Administrative Fund to defray the costs of the Mississippi
85 Affordable College Savings Program for the fiscal year beginning
86 July 1, 2003, and ending June 30, 2004..... \$ 344,698.00.

87 With the funds appropriated in this section, the following
88 positions are authorized:

89 AUTHORIZED POSITIONS:

90 Permanent: Full Time..... 2

91 It is the intention of the Legislature that the State
92 Treasurer is hereby authorized to accept, budget and expend an



93 amount not to exceed One Million Dollars (\$1,000,000.00) from any
94 funds deposited into the Mississippi Affordable College Savings
95 Fund from administrative fees, grants, other payments or
96 investment earnings received by the Mississippi Affordable College
97 Savings Program. Such funds shall be escalated in accordance with
98 the rules and regulations of the Department of Finance and
99 Administration in a manner consistent with the escalation of
100 federal funds.

101 **SECTION 9.** With the funds herein appropriated, it is the
102 intention of the Legislature that it shall be the agency's
103 responsibility to make certain that funds required to be
104 appropriated for "Personal Services" for Fiscal Year 2005 do not
105 exceed Fiscal Year 2004 funds appropriated for that purpose,
106 unless programs or positions are added to the agency's Fiscal Year
107 2005 budget by the Mississippi Legislature. Based on data
108 provided by the Legislative Budget Office, the State Personnel
109 Board shall determine and publish the projected annual cost to
110 fully fund all appropriated positions in compliance with the
111 provisions of this act. It shall be the responsibility of the
112 agency head to insure that no single personnel action increases
113 this projected annual cost and/or the Fiscal Year 2004
114 appropriation for "Personal Services" when annualized. If, at the
115 end of any calendar month, the State Personnel Board determines
116 that the agency has taken action(s) which would cause the agency
117 to exceed this projected annual cost or the Fiscal Year 2004
118 "Personal Services" appropriated level, when annualized, then only
119 those actions which reduce the projected annual cost and/or the
120 appropriation requirement will be processed by the State Personnel
121 Board until such time as the requirements of this provision are
122 met.

123 **SECTION 10.** No part of the funds appropriated herein shall
124 be used in the payment of attorney's fees, nor shall any of said
125 funds be used either directly or indirectly, for the purpose of



126 paying any clerk, stenographer, assistant, deputy or other person
127 who may be related by blood or marriage within the third degree,
128 computed by the rules of the civil law, to the official employing
129 or having the right of employment or selection thereof; and in the
130 event of any such payment, then the official or person approving
131 and making or receiving such payment shall be jointly and
132 severally liable to return to the State of Mississippi and to pay
133 into the State Treasury three (3) times any such amount so paid or
134 received, to be recovered at suit of the Attorney General;
135 provided that when the relationship is by affinity and the person
136 through whom the relationship was established is dead, this
137 provision shall not apply.

138 **SECTION 11.** It is the intention of the Legislature that none
139 of the funds appropriated by this act shall be expended for
140 increased charges for State and School Employees' Health Insurance
141 Plan premium rates assessed by the Department of Finance and
142 Administration in excess of the Fiscal Year 2003 premium rates for
143 the health insurance plan.

144 **SECTION 12.** It is the intention of the Legislature that the
145 Office of the State Treasurer shall maintain complete accounting
146 and personnel records related to the expenditure of all funds
147 appropriated under the provisions of this act and that such
148 records shall be in the same format and level of details as
149 maintained for Fiscal Year 2003. It is further the intention of
150 the Legislature that the budget request for Fiscal Year 2005 shall
151 be submitted to the Joint Legislative Budget Committee in a format
152 and level of detail comparable to the format and level of detail
153 provided during the Fiscal Year 2004 budget request process.

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, 2003.

