

By: Representatives Read, Martinson,
Broomfield, Brown, Davis, Denny, Middleton,
Miles, Weathersby

To: Appropriations

HOUSE BILL NO. 1716
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE
3 EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'
4 RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE
5 RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2005.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is hereby appropriated out of any money in the State
9 Treasury to the credit of the Administrative Expense Account of
10 the Public Employees' Retirement System for the purpose of
11 defraying the administrative expenses of the Board of Trustees of
12 the Public Employees' Retirement System, or out of any money in
13 the State Treasury to the credit of the Retirement System Building
14 Account of the Public Employees' Retirement System for the purpose
15 of maintenance and general operation of the Retirement System
16 Building, for the fiscal year beginning July 1, 2004, and ending
17 June 30, 2005..... \$ 9,700,900.00.

18 **SECTION 2.** Of the funds appropriated under the provisions of
19 Section 1, not more than the amounts set forth below shall be
20 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.. \$ 6,316,710.00
25 Travel and Subsistence..... 75,000.00
26 Contractual Services..... 2,936,190.00
27 Commodities..... 300,000.00
28 Capital Outlay:

29	Other Than Equipment.....	0.00
30	Equipment.....	73,000.00
31	Subsidies, Loans and Grants.....	<u>0.00</u>
32	Total.....	\$ 9,700,900.00

33 AUTHORIZED POSITIONS:

34	Permanent: Full Time.....	139
35	Part Time.....	0
36	Time-Limited: Full Time.....	0
37	Part Time.....	0

38 With the funds herein appropriated, it is the intention of
39 the Legislature that it shall be the agency's responsibility to
40 make certain that funds required to be appropriated for "Personal
41 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
42 funds appropriated for that purpose, unless programs or positions
43 are added to the agency's Fiscal Year 2006 budget by the
44 Mississippi Legislature. Based on data provided by the
45 Legislative Budget Office, the State Personnel Board shall
46 determine and publish the projected annual cost to fully fund all
47 appropriated positions in compliance with the provisions of this
48 act. It shall be the responsibility of the agency head to insure
49 that no single personnel action increases this projected annual
50 cost and/or the Fiscal Year 2005 appropriation for "Personal
51 Services" when annualized, with the exception of escalated funds.
52 If, at the time the agency takes any action to change "Personal
53 Services," the State Personnel Board determines that the agency
54 has taken an action which would cause the agency to exceed this
55 projected annual cost or the Fiscal Year 2005 "Personal Services"
56 appropriated level, when annualized, then only those actions which
57 reduce the projected annual cost and/or the appropriation
58 requirement will be processed by the State Personnel Board until
59 such time as the requirements of this provision are met.

60 Any transfers or escalations shall be made in accordance with
61 the terms, conditions and procedures established by law or

62 allowable under the terms set forth within this act. The State
63 Personnel Board shall not escalate positions without written
64 approval from the Department of Finance and Administration. The
65 Department of Finance and Administration shall not provide written
66 approval to escalate any funds for salaries and/or positions
67 without proof of availability of new or additional funds above the
68 appropriated level.

69 No general funds authorized to be expended herein shall be
70 used to replace federal funds and/or other special funds which are
71 being used for salaries authorized under the provisions of this
72 act and which are withdrawn and no longer available.

73 **SECTION 3.** It is the intention of the Legislature that the
74 Board of Trustees of the Public Employees' Retirement System shall
75 maintain complete accounting and personnel records related to the
76 expenditure of all funds appropriated under this act and that such
77 records shall be in the same format and level of detail as
78 maintained for Fiscal Year 2004. It is further the intention of
79 the Legislature that the agency's budget request for Fiscal Year
80 2006 shall be submitted to the Joint Legislative Budget Committee
81 in a format and level of detail comparable to the format and level
82 of detail provided during the Fiscal Year 2005 budget request
83 process.

84 **SECTION 4.** The following sum, or so much thereof as may be
85 necessary, while remaining within the project cost of Sixteen
86 Million Four Hundred Thirty-two Thousand Eight Hundred Eighty-five
87 Dollars (\$16,432,885.00) is hereby reappropriated out of any money
88 in the State Treasury to the credit of the Building Fund Expense
89 Account of the Public Employees' Retirement System for the purpose
90 of construction and renovation to the existing building and
91 parking facilities located at 429 Mississippi Street in Jackson,
92 Mississippi, including architectural fees and furnishings, as well
93 as associated moving expenses and to provide monies for the lease

94 of facilities while the construction/renovation is underway, for
95 the fiscal year beginning July 1, 2004, and ending June 30, 2005
96 \$3,000,000.00.

97 The expenditure of funds appropriated under this section
98 shall be subject to the approval of the Department of Finance and
99 Administration, and the Department of Finance and Administration
100 shall submit an annual report regarding such expenditures to the
101 Legislative Budget Office, the House Public Buildings, Grounds and
102 Lands Committee and the Senate Public Property Committee.

103 **SECTION 5.** In accordance with the purposes of this article,
104 there shall be established in the State Treasury the Public
105 Employees' Retirement System Building Repair and Maintenance Fund,
106 into which shall be deposited all funds collected as rental income
107 from the building owned by the system located at 301 North
108 President Street, Jackson, Mississippi. At the end of each fiscal
109 year, any and all unexpended funds shall be transferred to the
110 Administrative Budget Fund of the system.

111 It is the intention of the Legislature that the system have
112 the authority to escalate the Public Employees' Retirement System
113 Building Repair and Maintenance Fund in an amount not to exceed
114 Two Hundred Thousand Dollars (\$200,000.00) for repair and
115 maintenance of the buildings owned by the system. All
116 expenditures from the Public Employees' Retirement System Building
117 Repair and Maintenance Fund shall be in accordance with this
118 article and for the purposes designated herein.

119 **SECTION 6.** The money herein appropriated shall be paid by
120 the State Treasurer out of any money in the State Treasury to the
121 credit of the proper fund or funds as set forth in this act, upon
122 warrants issued by the State Fiscal Officer; and the State Fiscal
123 Officer shall issue his warrants upon requisitions signed by the
124 proper person, officer or officers, in the manner provided by law.

125 **SECTION 7.** This act shall take effect and be in force from
126 and after July 1, 2004.