

By: Senator(s) Gordon, Little, Dearing,
Gollott, Jackson (15th), Lee (47th), Wilemon

To: Appropriations

SENATE BILL NO. 3106

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2005.

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 Department of Finance and Administration for the
8 fiscal year beginning July 1, 2004, and ending June 30, 2005
9 \$ 11,105,872.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Finance and
13 Administration for the purpose of defraying the expenses incurred
14 in the operation of the various offices of the department for the
15 fiscal year beginning July 1, 2004, and ending June 30, 2005.....
16 \$ 15,918,393.00.

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

19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	319
21		Part Time.....	2
22	Time-Limited:	Full Time.....	1
23		Part Time.....	0

24 Provided that a report based on expenditures incurred during
25 the current and immediate-past fiscal years shall be provided to
26 each regularly scheduled legislative session. This report should
27 reflect expenditures as a result of the operation of the Robert E.

28 Lee Building, the Woolfolk State Office Building, the Gartin and
29 Sillers Buildings, the Capitol Buildings, the Central High School
30 Building, the 301 Building and other state buildings, and this
31 report should contain any steps taken to reduce operating costs.

32 It is also the intention of the Legislature that no
33 state-owned aircraft shall be utilized by any person except for
34 official business only.

35 **SECTION 4.** In addition to all other sums herein
36 appropriated, the following sum, or so much thereof as may be
37 necessary, is hereby appropriated out of any money in the special
38 fund in the State Treasury to the credit of the Tort Claims Fund
39 for the purpose of defraying the expenses of the Tort Claims Board
40 in the administration of the Tort Claims Act for the fiscal year
41 beginning July 1, 2004, and ending June 30, 2005.....
42 \$ 9,700,384.00.

43 **SECTION 5.** With the funds appropriated under the provisions
44 of Section 4, the following positions are authorized:

45 AUTHORIZED POSITIONS:

46	Permanent:	Full Time.....	6
47		Part Time.....	0
48	Time-Limited:	Full Time.....	0
49		Part Time.....	0

50 **SECTION 6.** Of the funds appropriated under the provisions of
51 Section 4, the following sum or so much thereof as may be
52 necessary is hereby appropriated out of any money in the State
53 Treasury to the credit of the Medical Malpractice Fund for the
54 purpose of defraying the expenses of the Tort Claims Board in
55 administering the Medical Malpractice Insurance Availability Plan,
56 for the fiscal year beginning July 1, 2004, and ending June 30,
57 2005..... \$ 250,000.00.

58 **SECTION 7.** With the funds herein appropriated, it is the
59 intention of the Legislature that it shall be the agency's
60 responsibility to make certain that funds required to be

61 appropriated for "Personal Services" for Fiscal Year 2006 do not
62 exceed Fiscal Year 2005 funds appropriated for that purpose,
63 unless programs or positions are added to the agency's Fiscal Year
64 2006 budget by the Mississippi Legislature. Based on data
65 provided by the Legislative Budget Office, the State Personnel
66 Board shall determine and publish the projected annual cost to
67 fully fund all appropriated positions in compliance with the
68 provisions of this act. It shall be the responsibility of the
69 agency head to insure that no single personnel action increases
70 this projected annual cost and/or the Fiscal Year 2005
71 appropriation for "Personal Services" when annualized, with the
72 exception of escalated funds. If, at the time the agency takes
73 any action to change "Personal Services," the State Personnel
74 Board determines that the agency has taken an action which would
75 cause the agency to exceed this projected annual cost or the
76 Fiscal Year 2005 "Personal Services" appropriated level, when
77 annualized, then only those actions which reduce the projected
78 annual cost and/or the appropriation requirement will be processed
79 by the State Personnel Board until such time as the requirements
80 of this provision are met.

81 Any transfers or escalations shall be made in accordance with
82 the terms, conditions and procedures established by law or
83 allowable under the terms set forth within this act. The State
84 Personnel Board shall not escalate positions without written
85 approval from the Department of Finance and Administration. The
86 Department of Finance and Administration shall not provide written
87 approval to escalate any funds for salaries and/or positions
88 without proof of availability of new or additional funds above the
89 appropriated level.

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

94 **SECTION 8.** The Bureau of Building, Grounds and Real Property
95 Management of the Office of General Services is hereby expressly
96 authorized and empowered to receive, budget and expend any state,
97 local or other source funds designated for supplemental funding of
98 construction and/or repairs and renovation projects.

99 **SECTION 9.** Of the funds appropriated in Section 2, the
100 following amounts are authorized to be spent out of the Local
101 Disaster Loan Fund No. 3144 by the Department of Finance and
102 Administration:

103 (a) Sixty Thousand Dollars (\$60,000.00) for premium
104 payments for flood insurance on state-owned facilities.

105 (b) One Hundred Sixty-five Thousand Dollars
106 (\$165,000.00) for the purpose of defraying the cost of the Office
107 of Air Transport Services.

108 **SECTION 10.** Of the funds appropriated under the provisions
109 of Section 2, the following amounts are authorized to be spent out
110 of the Statewide Cost Allocation Fund No. 3143 by the Department
111 of Finance and Administration:

112 (a) Three Hundred Two Thousand Fifty Dollars (\$302,050.00)
113 for the purpose of defraying computer expenses.

114 (b) Eight Hundred Eleven Thousand Five Hundred Ninety-four
115 Dollars (\$811,594.00) for the purpose of defraying the
116 cost of the acquisition, development and implementation
117 of the Statewide Automated Accounting System, which
118 includes implementation and operation of an
119 imaging/electronic processing system and records
120 management.

121 (c) One Million One Hundred Eighty-six Thousand Three
122 Hundred Fifty-six Dollars (\$1,186,356.00) for the
123 purpose of defraying the expenses of administering the
124 Statewide Cost Allocation Plan and utility costs of the
125 Capitol Complex and expenses of Air Transport Services.

126 **SECTION 11.** It is the intention of the Legislature that the
127 Department of Finance and Administration shall maintain complete
128 accounting and personnel records related to the expenditure of all
129 funds appropriated under this act and that such records shall be
130 in the same format and level of detail as maintained for Fiscal
131 Year 2004. It is further the intention of the Legislature that
132 the agency's budget request for Fiscal Year 2006 shall be
133 submitted to the Joint Legislative Budget Committee in a format
134 and level of detail comparable to the format and level of detail
135 provided during the Fiscal Year 2005 budget request process.

136 **SECTION 12.** It is the intention of the Legislature that the
137 Department of Finance and Administration is hereby authorized to
138 accept, budget and expend funds, not to exceed Five Hundred
139 Thousand Dollars (\$500,000.00), from any source in accordance with
140 rules and regulations of the Department of Finance and
141 Administration in a manner consistent with the escalation of
142 federal funds.

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

149 **SECTION 14.** This act shall take effect and be in force from
150 and after July 1, 2004.