

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

To: Appropriations

SENATE BILL NO. 3106  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEARS 2004 AND  
3 2005.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, to defray the expenses of  
8 the Department of Finance and Administration for the fiscal year  
9 beginning July 1, 2004, and ending June 30, 2005.....  
10 ..... \$ 11,236,200.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the State  
13 Treasury to the credit of the Department of Finance and  
14 Administration for the purpose of defraying the expenses incurred  
15 in the operation of the various offices of the department for the  
16 fiscal year beginning July 1, 2004, and ending June 30, 2005.....  
17 ..... \$ 18,959,609.00.

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..	\$ 15,718,961.00
25	Travel and Subsistence.....	167,548.00
26	Contractual Services.....	11,789,379.00
27	Commodities.....	931,202.00

28	Capital Outlay:		
29	Other Than Equipment.....		0.00
30	Equipment.....		695,724.00
31	Subsidies, Loans and Grants.....		<u>892,995.00</u>
32	Total.....	\$	30,195,809.00

33 FUNDING:

34	General Funds.....	\$	11,236,200.00
35	Special Funds.....		<u>18,959,609.00</u>
36	Total.....	\$	30,195,809.00

37 AUTHORIZED POSITIONS:

38	Permanent:	Full Time.....	337
39		Part Time.....	2
40	Time-Limited:	Full Time.....	0
41		Part Time.....	0

42 Provided that a report based on expenditures incurred during  
43 the current and immediate-past fiscal years shall be provided to  
44 each regularly scheduled legislative session. This report should  
45 reflect expenditures as a result of the operation of the Robert E.  
46 Lee Building, the Woolfolk State Office Building, the Gartin and  
47 Sillers Buildings, the Capitol Buildings, the Central High School  
48 Building, the Robert G. Clark, Jr., Building and other state  
49 buildings, and this report should contain any steps taken to  
50 reduce operating costs.

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

54 **SECTION 4.** In addition to all other sums herein  
55 appropriated, the following sum, or so much thereof as may be  
56 necessary, is hereby appropriated out of any money in the special  
57 fund in the State Treasury to the credit of the Tort Claims Fund  
58 for the purpose of defraying the expenses of the Tort Claims Board  
59 in the administration of the Tort Claims Act for the fiscal year  
60 beginning July 1, 2004, and ending June 30, 2005.....

61 ..... \$ 10,304,992.00.

62 Of the funds appropriated under the provisions of this  
63 section, not more than the amounts set forth below shall be  
64 expended for the respective major objects or purposes of  
65 expenditure:

66 MAJOR OBJECTS OF EXPENDITURE:

67 Personal Services:

68	Salaries, Wages and Fringe Benefits..	\$	345,406.00
69	Travel and Subsistence.....		17,400.00
70	Contractual Services.....		4,022,678.00
71	Commodities.....		8,300.00
72	Capital Outlay:		
73	Other Than Equipment.....		0.00
74	Equipment.....		3,000.00
75	Subsidies, Loans and Grants.....		<u>5,908,208.00</u>
76	Total.....	\$	10,304,992.00

77 FUNDING:

78	General Funds.....	\$	0.00
79	Special Funds.....		<u>10,304,992.00</u>
80	Total.....	\$	10,304,992.00

81 AUTHORIZED POSITIONS:

82	Permanent:	Full Time.....	6
83		Part Time.....	0
84	Time-Limited:	Full Time.....	0
85		Part Time.....	0

86 **SECTION 5.** In addition to all other sums herein  
87 appropriated, the following sum or so much thereof as may be  
88 necessary is hereby appropriated out of any money in the State  
89 Treasury to the credit of the Medical Malpractice Fund for the  
90 purpose of defraying the expenses of the Tort Claims Board in  
91 administering the Medical Malpractice Insurance Availability Plan,  
92 for the fiscal year beginning July 1, 2004, and ending June 30,  
93 2005..... \$ 250,000.00.

94 Of the funds appropriated under the provisions of this  
 95 section, not more than the amounts set forth below shall be  
 96 expended for the respective major objects or purposes of  
 97 expenditure:

98 MAJOR OBJECTS OF EXPENDITURE:

99 Personal Services:

100	Salaries, Wages and Fringe Benefits..	\$	238,878.00
101	Travel and Subsistence.....		0.00
102	Contractual Services.....		11,122.00
103	Commodities.....		0.00
104	Capital Outlay:		
105	Other Than Equipment.....		0.00
106	Equipment.....		0.00
107	Subsidies, Loans and Grants.....		0.00
108	Total.....	\$	250,000.00

109 FUNDING:

110	General Funds.....	\$	0.00
111	Special Funds.....		250,000.00
112	Total.....	\$	250,000.00

113 AUTHORIZED POSITIONS:

114	Permanent:	Full Time.....	5
115		Part Time.....	0
116	Time-Limited:	Full Time.....	0
117		Part Time.....	0

118 **SECTION 6.** With the funds herein appropriated, it is the  
 119 intention of the Legislature that it shall be the agency's  
 120 responsibility to make certain that funds required to be  
 121 appropriated for "Personal Services" for Fiscal Year 2006 do not  
 122 exceed Fiscal Year 2005 funds appropriated for that purpose,  
 123 unless programs or positions are added to the agency's Fiscal Year  
 124 2006 budget by the Mississippi Legislature. Based on data  
 125 provided by the Legislative Budget Office, the State Personnel  
 126 Board shall determine and publish the projected annual cost to

127 fully fund all appropriated positions in compliance with the  
128 provisions of this act. It shall be the responsibility of the  
129 agency head to insure that no single personnel action increases  
130 this projected annual cost and/or the Fiscal Year 2005  
131 appropriation for "Personal Services" when annualized, with the  
132 exception of escalated funds. If, at the time the agency takes  
133 any action to change "Personal Services," the State Personnel  
134 Board determines that the agency has taken an action which would  
135 cause the agency to exceed this projected annual cost or the  
136 Fiscal Year 2005 "Personal Services" appropriated level, when  
137 annualized, then only those actions which reduce the projected  
138 annual cost and/or the appropriation requirement will be processed  
139 by the State Personnel Board until such time as the requirements  
140 of this provision are met.

141 Any transfers or escalations shall be made in accordance with  
142 the terms, conditions and procedures established by law or  
143 allowable under the terms set forth within this act. The State  
144 Personnel Board shall not escalate positions without written  
145 approval from the Department of Finance and Administration. The  
146 Department of Finance and Administration shall not provide written  
147 approval to escalate any funds for salaries and/or positions  
148 without proof of availability of new or additional funds above the  
149 appropriated level.

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

154 **SECTION 7.** The Bureau of Building, Grounds and Real Property  
155 Management of the Office of General Services is hereby expressly  
156 authorized and empowered to receive, budget and expend any state,  
157 local or other source funds designated for supplemental funding of  
158 construction and/or repairs and renovation projects.

159           **SECTION 8.** Of the funds appropriated in Section 2, the  
160 following amounts are authorized to be spent out of the Local  
161 Disaster Loan Fund No. 3144 by the Department of Finance and  
162 Administration:

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

165           (b) One Hundred Sixty-five Thousand Dollars  
166 (\$165,000.00) for the purpose of defraying the cost of the Office  
167 of Air Transport Services.

168           **SECTION 9.** Of the funds appropriated under the provisions of  
169 Section 2, the following amounts are authorized to be spent out of  
170 the Statewide Cost Allocation Fund No. 3143 by the Department of  
171 Finance and Administration:

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

174           (b) Eight Hundred Eleven Thousand Five Hundred Ninety-four  
175 Dollars (\$811,594.00) for the purpose of defraying the  
176 cost of the acquisition, development and implementation  
177 of the Statewide Automated Accounting System, which  
178 includes implementation and operation of an  
179 imaging/electronic processing system and records  
180 management.

181           (c) One Million One Hundred Eighty-six Thousand Three  
182 Hundred Fifty-six Dollars (\$1,186,356.00) for the  
183 purpose of defraying the expenses of administration of  
184 the Statewide Cost Allocation Plan, utilities for the  
185 Capitol Complex, and Air Transport Services.

186           **SECTION 10.** It is the intention of the Legislature that the  
187 Department of Finance and Administration shall maintain complete  
188 accounting and personnel records related to the expenditure of all  
189 funds appropriated under this act and that such records shall be  
190 in the same format and level of detail as maintained for Fiscal  
191 Year 2004. It is further the intention of the Legislature that

192 the agency's budget request for Fiscal Year 2006 shall be  
193 submitted to the Joint Legislative Budget Committee in a format  
194 and level of detail comparable to the format and level of detail  
195 provided during the Fiscal Year 2005 budget request process.

196       **SECTION 11.** It is the intention of the Legislature that the  
197 Executive Director of the Mississippi Department of Finance and  
198 Administration may authorize increases in major objects of  
199 expenditure in total amounts not to exceed twenty-five percent  
200 (25%) of the appropriated amount of each major object of  
201 expenditure, provided that other major objects of expenditure are  
202 decreased by a corresponding dollar amount. However, no transfers  
203 shall be authorized which increase the major object of expenditure  
204 "Salaries, Wages and Fringe Benefits."

205       **SECTION 12.** It is the intention of the Legislature that the  
206 Department of Finance and Administration is hereby authorized to  
207 accept, budget and expend funds, not to exceed Three Million Five  
208 Hundred Thousand Dollars (\$3,500,000.00), from any source in  
209 accordance with rules and regulations of the Department of Finance  
210 and Administration in a manner consistent with the escalation of  
211 federal funds.

212       **SECTION 13.** With the funds appropriated herein, the  
213 Department of Finance and Administration is authorized to pay an  
214 invoice dated March 2, 2004, from the USDA Forest Services in the  
215 amount of Three Thousand Dollars (\$3,000.00) for a United States  
216 government surplus vehicle received by the Department of Finance  
217 and Administration prior to Fiscal Year 2003.

218       **SECTION 14.** It is the intention of the Legislature that the  
219 Department of Finance and Administration is hereby authorized to  
220 escalate funds in an amount not to exceed Three Hundred Ninety-six  
221 Thousand Eight Hundred Twenty-one Dollars (\$396,821.00) and six  
222 (6) Permanent Full-Time PINS, contingent upon passage of  
223 legislation that creates the Office of Administrative Services  
224 (OAS) within the Department of Finance and Administration, for the

225 purpose of defraying the expenses of said office for the fiscal  
226 year beginning July 1, 2004, and ending June 30, 2005.

227         **SECTION 15.** It is the intention of the Legislature that the  
228 Department of Finance and Administration is hereby authorized to  
229 escalate funds in an amount not to exceed Two Hundred Sixteen  
230 Thousand Nine Hundred Dollars (\$216,900.00) and six (6) Permanent  
231 Full-Time PINS for costs associated with additional Capitol  
232 Facilities duties contingent upon passage of House Bill 1370 of  
233 the 2004 Regular Session.

234         **SECTION 16.** The money herein appropriated shall be paid by  
235 the State Treasurer out of any money in the State Treasury to the  
236 credit of the proper fund or funds as set forth in this act, upon  
237 warrants issued by the State Fiscal Officer; and the State Fiscal  
238 Officer shall issue his warrants upon requisitions signed by the  
239 proper person, officer or officers, in the manner provided by law.

240         **SECTION 17.** This act shall take effect and be in force from  
241 and after July 1, 2004, except for Sections 12 and 13 which shall  
242 take effect and be in force from and after its passage.