

By: Senator(s) Gordon, Little, Kirby,
Cuevas, Flowers, Lee (35th), Turner

To: Appropriations

SENATE BILL NO. 3127

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2005.

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

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 Treasury to the credit of the State Personnel Board for the
7 support and maintenance of the State Personnel Board for the
8 fiscal year beginning July 1, 2004, and ending June 30, 2005.....
9 \$ 5,057,952.00.

10 SECTION 2. Of the funds appropriated under the provisions of
11 Section 1, not more than the amounts set forth below shall be
12 expended for the respective major objects or purposes of
13 expenditure:

14 MAJOR OBJECTS OF EXPENDITURE:

15	Personal Services:		
16	Salaries, Wages and Fringe Benefits..	\$	3,209,952.00
17	Travel and Subsistence.....		33,000.00
18	Contractual Services.....		1,625,000.00
19	Commodities.....		120,000.00
20	Capital Outlay:		
21	Other Than Equipment.....		0.00
22	Equipment.....		70,000.00
23	Subsidies, Loans and Grants.....		<u>0.00</u>
24	Total.....	\$	5,057,952.00

25 AUTHORIZED POSITIONS:

26	Permanent:	Full Time.....	62
27		Part Time.....	2

28 Time-Limited: Full Time..... 0
29 Part Time..... 0

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

52 Any transfers or escalations shall be made in accordance with
53 the terms, conditions and procedures established by law or
54 allowable under the terms set forth within this act. The State
55 Personnel Board shall not escalate positions without written
56 approval from the Department of Finance and Administration. The
57 Department of Finance and Administration shall not provide written
58 approval to escalate any funds for salaries and/or positions
59 without proof of availability of new or additional funds above the
60 appropriated level.

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

65 **SECTION 3.** The following sum, or so much thereof as may be
66 necessary, is hereby appropriated out of any money in the State
67 Treasury to the credit of the State Personnel Board Training Fund
68 account, for the purpose of defraying the expenses of the State
69 Personnel Board Training Seminars for the fiscal year beginning
70 July 1, 2004, and ending June 30, 2005.....\$ 542,893.00.

71 It is the intention of the Legislature that the State
72 Personnel Board Training Fund shall have the authority, should
73 additional funds become available, to escalate and expend those
74 funds in accordance with the rules and regulations of the
75 Department of Finance and Administration, in a manner consistent
76 with the escalation of federal funds.

77 The funds authorized under the provisions of this section
78 shall be held separate and apart from all other funds in the State
79 Treasury to the credit of the State Personnel Board.

80 **SECTION 4.** Of the funds appropriated under the provisions of
81 Section 3, not more than the amounts set forth below shall be
82 expended for the respective major objects or purposes of
83 expenditure:

84 MAJOR OBJECTS OF EXPENDITURE:

85 Personal Services:

86	Salaries, Wages and Fringe Benefits.. \$	0.00
87	Travel and Subsistence.....	12,000.00
88	Contractual Services.....	478,100.00
89	Commodities.....	46,793.00
90	Capital Outlay:	
91	Other Than Equipment.....	0.00
92	Equipment.....	6,000.00
93	Subsidies, Loans and Grants.....	<u>0.00</u>

94 Total..... \$ 542,893.00

95 **SECTION 5.** It is the intention of the Legislature that the
96 State Personnel Board shall have the authority to escalate and
97 expend funds received from state agencies for reimbursement of
98 costs associated with the hiring of court reporters used in the
99 Employee Appeals Process. Such funds shall be received and
100 expended under the rules and regulations of the Department of
101 Finance and Administration in a manner consistent with the
102 escalation of federal funds.

103 **SECTION 6.** The money herein appropriated shall be paid by
104 the State Treasurer out of any money in the State Treasury to the
105 credit of the proper fund or funds as set forth in this act, upon
106 warrants issued by the State Fiscal Officer, and the State Fiscal
107 Officer shall issue his warrants upon requisitions signed by the
108 proper person, officer or officers in the manner provided by law.

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