

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

To: Appropriations

SENATE BILL NO. 3127  
(As Sent to Governor)

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 ..... \$ 5,299,527.00.

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..	\$ 3,451,527.00
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.....	\$ 5,299,527.00

25 AUTHORIZED POSITIONS:

26	Permanent:		
	Full Time.....	63	
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.