

By: Senator(s) Gordon, Little, Gollott,
Kirby, Moffatt, Thames

To: Appropriations

SENATE BILL NO. 3145
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE
2 SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE
3 FOR FISCAL YEAR 2005.

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

5 **SECTION 1.** The following sum of money, or so much thereof as
6 may be necessary, is hereby appropriated out of any money in the
7 State Treasury to the credit of the State Department of Banking
8 and Consumer Finance, for the support of the State Department of
9 Banking and Consumer Finance, for the fiscal year beginning
10 July 1, 2004, and ending June 30, 2005.....
11 \$ 5,183,767.00.

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

16 MAJOR OBJECTS OF EXPENDITURE:

17	Personal Services:		
18	Salaries, Wages and Fringe Benefits..	\$	3,335,942.00
19	Travel and Subsistence.....		1,006,000.00
20	Contractual Services.....		700,000.00
21	Commodities.....		50,700.00
22	Capital Outlay:		
23	Other Than Equipment.....		0.00
24	Equipment.....		91,125.00
25	Subsidies, Loans and Grants.....		0.00
26	Total.....	\$	5,183,767.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	56
29		Part Time.....	0
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

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

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

61 without proof of availability of new or additional funds above the
62 appropriated level.

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

67 **SECTION 3.** It is the intention of the Legislature that the
68 agency shall provide a report reflecting Fiscal Year 2004 usage of
69 wireless communication devices which shall include cellular
70 phones, two-way radios, pagers, or any other means of wireless
71 communications to the Chairman of the House Appropriations
72 Committee, the Chairman of the Senate Appropriations Committee,
73 and the State Auditor by September 1, 2004. The report shall
74 contain, but not be limited to, the following:

75 (1) The number of wireless communication devices provided to
76 employees by the agency;

77 (2) The annual cost of usage of wireless communication
78 devices by each employee of the agency who is issued a wireless
79 communication device;

80 (3) Separate justification of the usage of wireless
81 communication devices by those employees issued wireless
82 communication devices; and

83 (4) To determine whether quantifiable benefits are
84 associated with the utilization of wireless communications and
85 whether such service provides more efficient or effective service
86 delivery.

87 **SECTION 4.** The money herein appropriated shall be paid by
88 the State Treasurer out of any money in the State Treasury to the
89 credit of the proper fund or funds as set forth in this act, upon
90 warrants issued by the State Fiscal Officer; and the State Fiscal
91 Officer shall issue his warrants upon requisitions signed by the
92 proper person, officer or officers in the manner provided by law.

93 **SECTION 5.** This act shall take effect and be in force from
94 and after July 1, 2004.