

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

To: Appropriations

SENATE BILL NO. 3159
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR
3 FISCAL YEAR 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 Treasury to the credit of the Mississippi Workers' Compensation
8 Commission, for the purpose of defraying the expenses incurred by
9 said commission for the fiscal year beginning July 1, 2004, and
10 ending June 30, 2005..... \$ 5,657,090.00.

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

15 MAJOR OBJECTS OF EXPENDITURE:

16 Personal Services:

17	Salaries, Wages and Fringe Benefits..	\$	4,040,945.00
18	Travel and Subsistence.....		165,000.00
19	Contractual Services.....		938,320.00
20	Commodities.....		78,200.00
21	Capital Outlay:		
22	Other Than Equipment.....		5,000.00
23	Equipment.....		74,625.00
24	Subsidies, Loans and Grants.....		<u>355,000.00</u>
25	Total.....	\$	5,657,090.00

26 AUTHORIZED POSITIONS:

27 Permanent: Full Time..... 75

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

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

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

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

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

66 **SECTION 3.** It is the intention of the Legislature that with
67 the funds appropriated in Section 1 and authorized for expenditure
68 in Section 2, the Mississippi Workers' Compensation Commission
69 shall enter into a contract with the industrial private sector for
70 the purpose of implementing a safety education and training
71 program.

72 **SECTION 4.** With the funds provided herein, it is the intent
73 of the Legislature that the Workers' Compensation Commission may
74 transfer a sum or sums not to exceed Two Hundred Thousand Dollars
75 (\$200,000.00) from the Administrative Expense Fund to the Second
76 Injury Fund.

77 **SECTION 5.** With the funds provided herein, it is the intent
78 of the Legislature that the Workers' Compensation Commission may
79 transfer a sum or sums not to exceed One Hundred Fifty Thousand
80 Dollars (\$150,000.00) from the Administrative Expense Fund to the
81 Insurance Integrity Enforcement Bureau within the Office of the
82 Attorney General.

83 **SECTION 6.** Of the funds appropriated under the provisions of
84 Section 1 and allocated in Section 2, funds in the amount of
85 Fifty-seven Thousand Dollars (\$57,000.00) are provided to carry
86 out the provisions of Senate Bill No. 2647, 2004 Regular Session.

87 **SECTION 7.** 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 8.** This act shall take effect and be in force from
94 and after July 1, 2004.