

By: Senator(s) Gordon, Little, Thames,  
Chaney, Davis, Kirby, Williamson

To: Appropriations

SENATE BILL NO. 3051

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2006.

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

4 **SECTION 1.** The following sum of money, or so much thereof as  
5 may be necessary, is hereby appropriated out of any money in the  
6 State General Fund not otherwise appropriated, to defray the  
7 expenses of the office of the State Treasurer for the fiscal year  
8 beginning July 1, 2005, and ending June 30, 2006.....  
9 ..... \$ 545,301.00.

10 **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby appropriated out of any funds in the special  
12 fund entitled Abandoned Property Fund in the State Treasury for  
13 the purpose of defraying expenses of the State Treasurer in  
14 administering the Uniform Disposition of Unclaimed Property and  
15 certain other expenses of the office, for the fiscal year  
16 beginning July 1, 2005, and ending June 30, 2006.....  
17 ..... \$ 2,233,567.00.

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..	\$	1,642,926.00
25	Travel and Subsistence.....		3,583.00
26	Contractual Services.....		977,999.00
27	Commodities.....		144,360.00

28	Capital Outlay:	
29	Other Than Equipment.....	0.00
30	Equipment.....	10,000.00
31	Subsidies, Loans and Grants.....	<u>0.00</u>
32	Total.....	\$ 2,778,868.00

33 FUNDING:

34	General Funds.....	\$ 545,301.00
35	Special Funds.....	<u>2,233,567.00</u>
36	Total.....	\$ 2,778,868.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time.....	31
39	Part Time.....	0
40	Time-Limited: Full Time.....	0
41	Part Time.....	0

42 With the funds herein appropriated, it is the intention of  
43 the Legislature that it shall be the agency's responsibility to  
44 make certain that funds required to be appropriated for "Personal  
45 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
46 funds appropriated for that purpose, unless programs or positions  
47 are added to the agency's Fiscal Year 2007 budget by the  
48 Mississippi Legislature. Based on data provided by the  
49 Legislative Budget Office, the State Personnel Board shall  
50 determine and publish the projected annual cost to fully fund all  
51 appropriated positions in compliance with the provisions of this  
52 act. It shall be the responsibility of the agency head to insure  
53 that no single personnel action increases this projected annual  
54 cost and/or the Fiscal Year 2006 appropriation for "Personal  
55 Services" when annualized, with the exception of escalated funds.  
56 If, at the time the agency takes any action to change "Personal  
57 Services," the State Personnel Board determines that the agency  
58 has taken an action which would cause the agency to exceed this  
59 projected annual cost or the Fiscal Year 2006 "Personal Services"  
60 appropriated level, when annualized, then only those actions which

61 reduce the projected annual cost and/or the appropriation  
62 requirement will be processed by the State Personnel Board until  
63 such time as the requirements of this provision are met.

64       **SECTION 4.** In addition to all other sums herein  
65 appropriated, 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 Education Improvement Trust Fund No.  
68 3219 for the purpose of investing funds for the fiscal year  
69 beginning July 1, 2005, and ending June 30, 2006.....  
70 ..... \$           125,000.00.

71       **SECTION 5.** The following sum, or so much thereof as may be  
72 necessary, is hereby appropriated out of any money in the State  
73 Treasury to the credit of the Mississippi Prepaid Affordable  
74 College Tuition Administrative Fund to defray the costs of the  
75 Mississippi Prepaid Affordable College Tuition Program for the  
76 fiscal year beginning July 1, 2005, and ending June 30, 2006.....  
77 ..... \$       1,319,131.00.

78       **SECTION 6.** Of the funds appropriated under the provisions of  
79 Section 5, not more than the amounts set forth below shall be  
80 expended for the respective major objects or purposes of  
81 expenditure:

82       MAJOR OBJECTS OF EXPENDITURE:

83       Personal Services:

84           Salaries, Wages and Fringe Benefits..	\$	215,948.00
85           Travel and Subsistence.....		14,987.00
86           Contractual Services.....		1,053,264.00
87           Commodities.....		34,932.00
88       Capital Outlay:		
89           Other Than Equipment.....		0.00
90           Equipment.....		0.00
91           Subsidies, Loans and Grants.....		0.00
92           Total.....	\$	1,319,131.00

93       AUTHORIZED POSITIONS:

94	Permanent:	Full Time.....	4
95		Part Time.....	0
96	Time-Limited:	Full Time.....	0
97		Part Time.....	0

98       **SECTION 7.** The following sum, or so much thereof as may be  
99 necessary, is hereby appropriated out of any money in the State  
100 Treasury to the credit of the Mississippi Prepaid Affordable  
101 College Tuition Trust Fund for the purpose of paying all amounts  
102 due for prepaid tuition contracts of the Mississippi Prepaid  
103 Affordable College Tuition Program, for the fiscal year beginning  
104 July 1, 2005, and ending June 30, 2006..... \$     15,500,000.00.

105       It is the intention of the Legislature that the State  
106 Treasurer is hereby authorized to accept, budget and expend an  
107 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
108 funds authorized for the Mississippi Prepaid Affordable College  
109 Tuition Program, for paying amounts due for prepaid tuition  
110 contracts of the Mississippi Prepaid Affordable College Tuition  
111 Program. Such funds shall be escalated in accordance with the  
112 rules and regulations of the Department of Finance and  
113 Administration in a manner consistent with the escalation of  
114 federal funds.

115       **SECTION 8.** The following sum, or so much thereof as may be  
116 necessary, is hereby appropriated out of any money in the State  
117 Treasury to the credit of the Health Care Expendable Fund, created  
118 under House Bill No. 519, 1999 Regular Session, for the purpose of  
119 defraying the expenses of the Office of the State Treasurer for  
120 the fiscal year beginning July 1, 2005, and ending  
121 June 30, 2006..... \$           93,979.00.

122       **SECTION 9.** Of the funds appropriated under the provisions of  
123 Section 8, not more than the amounts set forth below shall be  
124 expended for the respective major objects or purposes of  
125 expenditure:

126       MAJOR OBJECTS OF EXPENDITURE:

127	Personal Services:		
128	Salaries, Wages and Fringe Benefits..	\$	43,032.00
129	Travel and Subsistence.....		2,700.00
130	Contractual Services.....		46,247.00
131	Commodities.....		2,000.00
132	Capital Outlay:		
133	Other Than Equipment.....		0.00
134	Equipment.....		0.00
135	Subsidies, Loans and Grants.....		0.00
136	Total.....	\$	93,979.00

137 AUTHORIZED POSITIONS:

138	Permanent:	Full Time.....	1
139		Part Time.....	0
140	Time-Limited:	Full Time.....	0
141		Part Time.....	0

142 **SECTION 10.** The following sum, or so much thereof as may be  
143 necessary, is hereby appropriated out of any money in the State  
144 Treasury to the credit of the Mississippi Affordable College  
145 Savings Administrative Fund to defray the costs of the Mississippi  
146 Affordable College Savings Program for the fiscal year beginning  
147 July 1, 2005, and ending June 30, 2006..... \$ 173,699.00.

148 **SECTION 11.** Of the funds appropriated under the provisions  
149 of Section 10, not more than the amounts set forth below shall be  
150 expended for the respective major objects or purposes of  
151 expenditure:

152 MAJOR OBJECTS OF EXPENDITURE:

153	Personal Services:		
154	Salaries, Wages and Fringe Benefits..	\$	91,298.00
155	Travel and Subsistence.....		13,592.00
156	Contractual Services.....		64,944.00
157	Commodities.....		3,865.00
158	Capital Outlay:		
159	Other Than Equipment.....		0.00

160	Equipment.....	0.00
161	Subsidies, Loans and Grants.....	<u>0.00</u>
162	Total.....	\$ 173,699.00

163 AUTHORIZED POSITIONS:

164	Permanent: Full Time.....	2
165	Part Time.....	0
166	Time-Limited: Full Time.....	0
167	Part Time.....	0

168 **SECTION 12.** No part of the funds appropriated herein shall  
169 be used in the payment of attorney's fees, nor shall any of said  
170 funds be used either directly or indirectly, for the purpose of  
171 paying any clerk, stenographer, assistant, deputy or other person  
172 who may be related by blood or marriage within the third degree,  
173 computed by the rules of the civil law, to the official employing  
174 or having the right of employment or selection thereof; and in the  
175 event of any such payment, then the official or person approving  
176 and making or receiving such payment shall be jointly and  
177 severally liable to return to the State of Mississippi and to pay  
178 into the State Treasury three (3) times any such amount so paid or  
179 received, to be recovered at suit of the Attorney General;  
180 provided that when the relationship is by affinity and the person  
181 through whom the relationship was established is dead, this  
182 provision shall not apply.

183 **SECTION 13.** It is the intention of the Legislature that the  
184 Office of the State Treasurer shall maintain complete accounting  
185 and personnel records related to the expenditure of all funds  
186 appropriated under the provisions of this act and that such  
187 records shall be in the same format and level of details as  
188 maintained for Fiscal Year 2005. It is further the intention of  
189 the Legislature that the budget request for Fiscal Year 2007 shall  
190 be submitted to the Joint Legislative Budget Committee in a format  
191 and level of detail comparable to the format and level of detail  
192 provided during the Fiscal Year 2006 budget request process.

193           **SECTION 14.** The money herein appropriated shall be paid by  
194 the State Treasurer out of any money in the State Treasury to the  
195 credit of the proper fund or funds as set forth in this act, upon  
196 warrants issued by the State Fiscal Officer; and the State Fiscal  
197 Officer shall issue his warrants upon requisitions signed by the  
198 proper person, officer or officers in the manner provided by law.

199           **SECTION 15.** This act shall take effect and be in force from  
200 and after July 1, 2005.