

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3051

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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 \$ 2,233,566.00.

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..	\$	1,642,925.00
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.....	\$	<u>2,778,867.00</u>

33 FUNDING:

34	General Funds.....	\$	545,301.00
35	Special Funds.....		<u>2,233,566.00</u>
36	Total.....	\$	<u>2,778,867.00</u>

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 Any transfers or escalations shall be made in accordance with
65 the terms, conditions and procedures established by law or
66 allowable under the terms set forth within this act. The State
67 Personnel Board shall not escalate positions without written
68 approval from the Department of Finance and Administration. The
69 Department of Finance and Administration shall not provide written
70 approval to escalate any funds for salaries and/or positions
71 without proof of availability of new or additional funds above the
72 appropriated level.

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76 act and which are withdrawn and no longer available.

77 **SECTION 4.** In addition to all other sums herein
78 appropriated, the following sum, or so much thereof as may be
79 necessary, is hereby appropriated out of any money in the State
80 Treasury to the credit of the Education Improvement Trust Fund No.
81 3219 for the purpose of investing funds for the fiscal year
82 beginning July 1, 2005, and ending June 30, 2006.....
83 \$ 125,000.00.

84 **SECTION 5.** The following sum, or so much thereof as may be
85 necessary, is hereby appropriated out of any money in the State
86 Treasury to the credit of the Mississippi Prepaid Affordable

87 College Tuition Administrative Fund to defray the costs of the
 88 Mississippi Prepaid Affordable College Tuition Program for the
 89 fiscal year beginning July 1, 2005, and ending June 30, 2006.....
 90 \$ 1,319,131.00.

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

95 MAJOR OBJECTS OF EXPENDITURE:

96 Personal Services:

97	Salaries, Wages and Fringe Benefits..	\$	215,948.00
98	Travel and Subsistence.....		14,987.00
99	Contractual Services.....		1,053,264.00
100	Commodities.....		34,932.00
101	Capital Outlay:		
102	Other Than Equipment.....		0.00
103	Equipment.....		0.00
104	Subsidies, Loans and Grants.....		0.00
105	Total.....	\$	1,319,131.00

106 AUTHORIZED POSITIONS:

107	Permanent:	Full Time.....	4
108		Part Time.....	0
109	Time-Limited:	Full Time.....	0
110		Part Time.....	0

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

118 It is the intention of the Legislature that the State
 119 Treasurer is hereby authorized to accept, budget and expend an
 120 amount not to exceed One Million Dollars (\$1,000,000.00) from any
 121 funds authorized for the Mississippi Prepaid Affordable College
 122 Tuition Program, for paying amounts due for prepaid tuition
 123 contracts of the Mississippi Prepaid Affordable College Tuition
 124 Program. Such funds shall be escalated in accordance with the
 125 rules and regulations of the Department of Finance and
 126 Administration in a manner consistent with the escalation of
 127 federal funds.

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

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

139 MAJOR OBJECTS OF EXPENDITURE:

140	Personal Services:		
141	Salaries, Wages and Fringe Benefits..	\$	43,032.00
142	Travel and Subsistence.....		2,700.00
143	Contractual Services.....		46,247.00
144	Commodities.....		2,000.00
145	Capital Outlay:		
146	Other Than Equipment.....		0.00
147	Equipment.....		0.00
148	Subsidies, Loans and Grants.....		0.00
149	Total.....	\$	93,979.00

150 AUTHORIZED POSITIONS:

151	Permanent:	Full Time.....	1
152		Part Time.....	0
153	Time-Limited:	Full Time.....	0
154		Part Time.....	0

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

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

165 MAJOR OBJECTS OF EXPENDITURE:

166	Personal Services:		
167	Salaries, Wages and Fringe Benefits..	\$	91,298.00
168	Travel and Subsistence.....		13,592.00
169	Contractual Services.....		64,944.00
170	Commodities.....		3,865.00
171	Capital Outlay:		
172	Other Than Equipment.....		0.00
173	Equipment.....		0.00
174	Subsidies, Loans and Grants.....		0.00
175	Total.....	\$	173,699.00

176 AUTHORIZED POSITIONS:

177	Permanent:	Full Time.....	2
178		Part Time.....	0
179	Time-Limited:	Full Time.....	0
180		Part Time.....	0

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

196 **SECTION 13.** It is the intention of the Legislature that the
197 Office of the State Treasurer shall maintain complete accounting
198 and personnel records related to the expenditure of all funds
199 appropriated under the provisions of this act and that such
200 records shall be in the same format and level of details as
201 maintained for Fiscal Year 2005. It is further the intention of
202 the Legislature that the budget request for Fiscal Year 2007 shall
203 be submitted to the Joint Legislative Budget Committee in a format
204 and level of detail comparable to the format and level of detail
205 provided during the Fiscal Year 2006 budget request process.

206 **SECTION 14.** None of the above funds shall be used to fund
207 any expenditures for litigation against the Partnership for a
208 Healthy Mississippi.

209 **SECTION 15.** The money herein appropriated shall be paid by
210 the State Treasurer out of any money in the State Treasury to the
211 credit of the proper fund or funds as set forth in this act, upon
212 warrants issued by the State Fiscal Officer; and the State Fiscal

213 Officer shall issue his warrants upon requisitions signed by the
214 proper person, officer or officers in the manner provided by law.

215 **SECTION 16.** This act shall take effect and be in force from
216 and after July 1, 2005.