

By: Representatives Read,  
Martinson, Broomfield, Brown,  
Davis, Denny, Middleton, Miles,  
Weathersby

To: Appropriations

HOUSE BILL NO. 36  
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI VETERANS MEMORIAL STADIUM  
3 COMMISSION FOR THE FISCAL YEAR 2006.

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 Veterans Memorial  
8 Stadium Fund, for the purpose of defraying the expenses of the  
9 Mississippi Veterans Memorial Stadium Commission for the fiscal  
10 year beginning July 1, 2005, and ending June 30, 2006.....  
11 ..... \$ 1,179,129.00.

12 In addition to the funds appropriated herein, the Mississippi  
13 Veterans Memorial Stadium Commission is hereby authorized to  
14 disburse to participating institutions, agencies or departments  
15 their shares or divisions of gate receipts.

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

20 MAJOR OBJECTS OF EXPENDITURE:

21	Personal Services:		
22	Salaries, Wages and Fringe Benefits..	\$	411,432.00
23	Travel and Subsistence.....		1,000.00
24	Contractual Services.....		551,397.00
25	Commodities.....		197,300.00
26	Capital Outlay:		
27	Other Than Equipment.....		0.00

28	Equipment.....	15,000.00
29	Subsidies, Loans and Grants.....	<u>3,000.00</u>
30	Total.....	\$ 1,179,129.00

31 FUNDING:

32	General Funds.....	\$ 0.00
33	Special Funds.....	<u>1,179,129.00</u>
34	Total.....	\$ 1,179,129.00

35 AUTHORIZED POSITIONS:

36	Permanent: Full Time.....	9
37	Part Time.....	0
38	Time-Limited: Full Time.....	0
39	Part Time.....	0

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

60 requirement will be processed by the State Personnel Board until  
61 such time as the requirements of this provision are met.

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

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

75 The agency shall not take any action to promote or otherwise  
76 award salary increases through reallocation, reclassification,  
77 realignment, education benchmark, career ladder, or any other  
78 means to increase salaries of employees or positions unless  
79 specifically exempted by the following conditions: the award of  
80 teacher pay increases, the advancement of a trainee/cadet to the  
81 next level of a bona fide career ladder, the award of an  
82 educational benchmark for the attainment of Certified Public  
83 Accountant License or higher level professional certification as  
84 determined by the State Personnel Board, the immediate replacement  
85 of a departing employee with an individual from within state  
86 service or a new hire at a salary level equivalent to that of the  
87 departing employee, and the emergency appointment of nurses,  
88 pharmacists or other health care professionals at a salary to be  
89 determined by the State Personnel Board, unless otherwise  
90 authorized in this act.

91 **SECTION 3.** It is the intention of the Legislature that the  
92 Mississippi Veterans Memorial Stadium Commission shall maintain

93 complete accounting and personnel records related to the  
94 expenditure of all funds appropriated under this act and that such  
95 records shall be in the same format and level of detail as  
96 maintained for Fiscal Year 2005. It is further the intention of  
97 the Legislature that the agency's budget request for Fiscal Year  
98 2007 shall be submitted to the Joint Legislative Budget Committee  
99 in a format and level of detail comparable to the format and level  
100 of detail provided during the Fiscal Year 2006 budget request  
101 process.

102       **SECTION 4.** None of the monies appropriated under this act  
103 shall be expended for payment of that amount of the salary of any  
104 person holding the position of division director, department  
105 director or head, bureau director, deputy or assistant director or  
106 similar position on May 15, 2005, which would exceed the amount  
107 actually paid for the same position on June 30, 2003, regardless  
108 of the title or position held or duties performed by the person  
109 holding the position on June 30, 2003.

110       **SECTION 5.** The money herein appropriated shall be paid by  
111 the State Treasurer out of any money in the State Treasury to the  
112 credit of the proper fund or funds as set forth in this act, upon  
113 warrants issued by the State Fiscal Officer; and the State Fiscal  
114 Officer shall issue his warrants upon requisitions signed by the  
115 proper person, officer or officers, in the manner provided by law.

116       **SECTION 6.** This act shall take effect and be in force from  
117 and after July 1, 2005.