

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

To: Appropriations

HOUSE BILL NO. 100

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF  
3 REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR  
4 FISCAL YEAR 2006.

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

6 **SECTION 1.** The following sum, or so much thereof as may be  
7 necessary, is hereby appropriated out of any money in the State  
8 Treasury to the credit of the State Board of Registration for  
9 Professional Engineers and Land Surveyors, for the purpose of  
10 defraying the expenses of the board for the fiscal year beginning  
11 July 1, 2005, and ending June 30, 2006..... \$ 440,218.00.

12 **SECTION 2.** Of the funds approved for expenditure under the  
13 provisions of Section 1, not more than the amounts set forth below  
14 shall be 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.. \$ 230,520.00  
19 Travel and Subsistence..... 35,000.00  
20 Contractual Services..... 152,298.00  
21 Commodities..... 16,900.00

22 Capital Outlay:

23 Other Than Equipment..... 0.00  
24 Equipment..... 5,500.00  
25 Subsidies, Loans and Grants..... 0.00

26 Total..... \$ 440,218.00

27 AUTHORIZED POSITIONS:

28 Permanent: Full Time..... 4

29	Part Time.....	1
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 2007 do not exceed Fiscal Year 2006  
36 funds appropriated for that purpose, unless programs or positions  
37 are added to the agency's Fiscal Year 2007 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 2006 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 2006 "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 The agency shall not take any action to promote or otherwise  
68 award salary increases through reallocation, reclassification,  
69 realignment, education benchmark, career ladder, or any other  
70 means to increase salaries of employees or positions unless  
71 specifically exempted by the following conditions: the award of  
72 teacher pay increases, the advancement of a trainee/cadet to the  
73 next level of a bona fide career ladder, the award of an  
74 educational benchmark for the attainment of Certified Public  
75 Accountant License or higher level professional certification as  
76 determined by the State Personnel Board, the immediate replacement  
77 of a departing employee with an individual from within state  
78 service or a new hire at a salary level equivalent to that of the  
79 departing employee, and the emergency appointment of nurses,  
80 pharmacists or other health care professionals at a salary to be  
81 determined by the State Personnel Board, unless otherwise  
82 authorized in this act.

83 **SECTION 3.** It is the intention of the Legislature that the  
84 State Board of Registration for Professional Engineers and Land  
85 Surveyors shall maintain complete accounting and personnel records  
86 related to the expenditure of all funds appropriated under this  
87 act and that such records shall be in the same format and level of  
88 detail as maintained for Fiscal Year 2005. It is further the  
89 intention of the Legislature that the agency's budget request for  
90 Fiscal Year 2007 shall be submitted to the Joint Legislative  
91 Budget Committee in a format and level of detail comparable to the  
92 format and level of detail provided during the Fiscal Year 2006  
93 budget request process.

94           **SECTION 4.** Of the funds provided herein, the sum of  
95 Seventeen Thousand Two Hundred Forty-eight Dollars (\$17,248.00) is  
96 hereby assessed on any non-federal special funds and shall be  
97 deposited to the Budget Contingency Fund created in Section  
98 27-103-301, Mississippi Code of 1972, on or before October 1,  
99 2005, for the purpose of reimbursing the State of Mississippi for  
100 administrative costs.

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

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