MISSISSIPPI LEGISLATURE SECOND EXTRAORDINARY SESSION 2005

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

To: Appropriations

SENATE BILL NO. 2014

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2006.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Funeral Services for the purpose of defraying the expenses of said board for the fiscal year beginning July 1, 2005, and ending June 30, 2006..... ..... $ 228,334.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	2
	Part Time.....	0
Time-Limited:	Full Time.....	0
	Part Time.....	0

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2007 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this

act. It shall be the responsibility of the agency head to insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2006 appropriation for "Personal Services" when annualized, with the exception of escalated funds. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2006 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

The agency shall not take any action to promote or otherwise award salary increases through reallocation, reclassification, realignment, education benchmark, career ladder, or any other means to increase salaries of employees or positions unless specifically exempted by the following conditions: the award of teacher pay increases, the advancement of a trainee/cadet to the next level of a bona fide career ladder, the award of an educational benchmark for the attainment of Certified Public

Accountant License or higher level professional certification as determined by the State Personnel Board, the immediate replacement of a departing employee with an individual from within state service or a new hire at a salary level equivalent to that of the departing employee, and the emergency appointment of nurses, pharmacists or other health care professionals at a salary to be determined by the State Personnel Board, unless otherwise authorized in this act.

SECTION 3. Of the funds provided herein, the sum of Eight Thousand Six Hundred Forty-one Dollars ($8,641.00) is hereby assessed on any non-federal special funds and shall be deposited to the Budget Contingency Fund created in Section 27-103-301, Mississippi Code of 1972, on or before October 1, 2005, for the purpose of reimbursing the State of Mississippi for administrative costs.

SECTION 4. It is the intention of the Legislature that the Funeral Services Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2005. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2007 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2006 budget request process.

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

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