

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

SENATE BILL NO. 2032

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 ..... \$ 551,640.00.

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 ..... \$ 2,682,832.00.

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:

Table with 2 columns: Description and Amount. Rows include Salaries, Wages and Fringe Benefits (\$1,818,249.00), Travel and Subsistence (15,000.00), Contractual Services (1,123,223.00), and Commodities (176,000.00).

28	Capital Outlay:	
29	Other Than Equipment.....	0.00
30	Equipment.....	102,000.00
31	Subsidies, Loans and Grants.....	<u>0.00</u>
32	Total.....	\$ 3,234,472.00

33 FUNDING:

34	General Funds.....	\$ 551,640.00
35	Special Funds.....	<u>2,682,832.00</u>
36	Total.....	\$ 3,234,472.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time.....	33
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 The agency shall not take any action to promote or otherwise  
78 award salary increases through reallocation, reclassification,  
79 realignment, education benchmark, career ladder, or any other  
80 means to increase salaries of employees or positions unless  
81 specifically exempted by the following conditions: the award of  
82 teacher pay increases, the advancement of a trainee/cadet to the  
83 next level of a bona fide career ladder, the award of an  
84 educational benchmark for the attainment of Certified Public  
85 Accountant License or higher level professional certification as  
86 determined by the State Personnel Board, the immediate replacement  
87 of a departing employee with an individual from within state  
88 service or a new hire at a salary level equivalent to that of the  
89 departing employee, and the emergency appointment of nurses,  
90 pharmacists or other health care professionals at a salary to be  
91 determined by the State Personnel Board, unless otherwise  
92 authorized in this act.

93           **SECTION 4.** In addition to all other sums herein  
 94 appropriated, the following sum, or so much thereof as may be  
 95 necessary, is hereby appropriated out of any money in the State  
 96 Treasury to the credit of the Education Improvement Trust Fund No.  
 97 3219 for the purpose of investing funds for the fiscal year  
 98 beginning July 1, 2005, and ending June 30, 2006.....  
 99 ..... \$           125,000.00.

100           **SECTION 5.** The following sum, or so much thereof as may be  
 101 necessary, is hereby appropriated out of any money in the State  
 102 Treasury to the credit of the Mississippi Prepaid Affordable  
 103 College Tuition Administrative Fund to defray the costs of the  
 104 Mississippi Prepaid Affordable College Tuition Program for the  
 105 fiscal year beginning July 1, 2005, and ending June 30, 2006.....  
 106 ..... \$           1,519,193.00.

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

111       MAJOR OBJECTS OF EXPENDITURE:

112       Personal Services:

113           Salaries, Wages and Fringe Benefits..	\$	218,872.00
114           Travel and Subsistence.....		14,987.00
115           Contractual Services.....		1,250,402.00
116           Commodities.....		34,932.00
117       Capital Outlay:		
118           Other Than Equipment.....		0.00
119           Equipment.....		0.00
120           Subsidies, Loans and Grants.....		0.00
121           Total.....	\$	1,519,193.00

122       AUTHORIZED POSITIONS:

123       Permanent:	Full Time.....	4
124	Part Time.....	0
125       Time-Limited:	Full Time.....	0

126 Part Time..... 0

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

134 It is the intention of the Legislature that the State  
135 Treasurer is hereby authorized to accept, budget and expend an  
136 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
137 funds authorized for the Mississippi Prepaid Affordable College  
138 Tuition Program, for paying amounts due for prepaid tuition  
139 contracts of the Mississippi Prepaid Affordable College Tuition  
140 Program. Such funds shall be escalated in accordance with the  
141 rules and regulations of the Department of Finance and  
142 Administration in a manner consistent with the escalation of  
143 federal funds.

144 **SECTION 8.** The following sum, or so much thereof as may be  
145 necessary, is hereby appropriated out of any money in the State  
146 Treasury to the credit of the Health Care Expendable Fund, created  
147 under House Bill No. 519, 1999 Regular Session, for the purpose of  
148 defraying the expenses of the Office of the State Treasurer for  
149 the fiscal year beginning July 1, 2005, and ending  
150 June 30, 2006..... \$ 95,888.00.

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

155 MAJOR OBJECTS OF EXPENDITURE:

156 Personal Services:

157 Salaries, Wages and Fringe Benefits.. \$ 44,941.00  
158 Travel and Subsistence..... 2,700.00

159	Contractual Services.....	46,247.00
160	Commodities.....	2,000.00
161	Capital Outlay:	
162	Other Than Equipment.....	0.00
163	Equipment.....	0.00
164	Subsidies, Loans and Grants.....	<u>0.00</u>
165	Total..... \$	95,888.00

166 AUTHORIZED POSITIONS:

167	Permanent: Full Time.....	1
168	Part Time.....	0
169	Time-Limited: Full Time.....	0
170	Part Time.....	0

171 **SECTION 10.** The following sum, or so much thereof as may be  
172 necessary, is hereby appropriated out of any money in the State  
173 Treasury to the credit of the Mississippi Affordable College  
174 Savings Administrative Fund to defray the costs of the Mississippi  
175 Affordable College Savings Program for the fiscal year beginning  
176 July 1, 2005, and ending June 30, 2006..... \$ 175,028.00.

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

181 MAJOR OBJECTS OF EXPENDITURE:

182	Personal Services:	
183	Salaries, Wages and Fringe Benefits.. \$	96,159.00
184	Travel and Subsistence.....	13,592.00
185	Contractual Services.....	61,412.00
186	Commodities.....	3,865.00
187	Capital Outlay:	
188	Other Than Equipment.....	0.00
189	Equipment.....	0.00
190	Subsidies, Loans and Grants.....	<u>0.00</u>
191	Total..... \$	175,028.00

192 AUTHORIZED POSITIONS:

193	Permanent:	Full Time.....	2
194		Part Time.....	0
195	Time-Limited:	Full Time.....	0
196		Part Time.....	0

197 **SECTION 12.** No part of the funds appropriated herein shall  
198 be used in the payment of attorney's fees, nor shall any of said  
199 funds be used either directly or indirectly, for the purpose of  
200 paying any clerk, stenographer, assistant, deputy or other person  
201 who may be related by blood or marriage within the third degree,  
202 computed by the rules of the civil law, to the official employing  
203 or having the right of employment or selection thereof; and in the  
204 event of any such payment, then the official or person approving  
205 and making or receiving such payment shall be jointly and  
206 severally liable to return to the State of Mississippi and to pay  
207 into the State Treasury three (3) times any such amount so paid or  
208 received, to be recovered at suit of the Attorney General;  
209 provided that when the relationship is by affinity and the person  
210 through whom the relationship was established is dead, this  
211 provision shall not apply.

212 **SECTION 13.** It is the intention of the Legislature that the  
213 Office of the State Treasurer shall maintain complete accounting  
214 and personnel records related to the expenditure of all funds  
215 appropriated under the provisions of this act and that such  
216 records shall be in the same format and level of details as  
217 maintained for Fiscal Year 2005. It is further the intention of  
218 the Legislature that the budget request for Fiscal Year 2007 shall  
219 be submitted to the Joint Legislative Budget Committee in a format  
220 and level of detail comparable to the format and level of detail  
221 provided during the Fiscal Year 2006 budget request process.

222 **SECTION 14.** Of the funds provided under the provisions of  
223 this act, a salary increase is provided in the amount of Five

224 Thousand Three Hundred and fifty One Dollars (\$5,351.00) for PIN  
225 #29 of this agency.

226       **SECTION 15.** It is the intention of the Legislature that the  
227 State Treasurer's Office may authorize increases in major objects  
228 of expenditure in total amounts not to exceed fifteen percent  
229 (15%) of the appropriated amount of each major object of  
230 expenditure, provided that other major objects of expenditure are  
231 decreased by a corresponding dollar amount. However, no transfers  
232 shall be authorized which increase the major object of expenditure  
233 "Salaries, Wages and Fringe Benefits."

234       **SECTION 16.** The money herein appropriated shall be paid by  
235 the State Treasurer out of any money in the State Treasury to the  
236 credit of the proper fund or funds as set forth in this act, upon  
237 warrants issued by the State Fiscal Officer; and the State Fiscal  
238 Officer shall issue his warrants upon requisitions signed by the  
239 proper person, officer or officers in the manner provided by law.

240       **SECTION 17.** This act shall take effect and be in force from  
241 and after July 1, 2005.