

By: Senator(s) Gordon, Little, Kirby, Cuevas, Flowers, Lee (35th), Turner To: Appropriations

SENATE BILL NO. 2037

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2006.

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

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 Treasury to the credit of the State Personnel Board for the
7 support and maintenance of the State Personnel Board for the
8 fiscal year beginning July 1, 2005, and ending June 30, 2006.....
9 ..... \$ 5,141,279.00.

10 SECTION 2. Of the funds appropriated under the provisions of
11 Section 1, not more than the amounts set forth below shall be
12 expended for the respective major objects or purposes of
13 expenditure:

14 MAJOR OBJECTS OF EXPENDITURE:

15 Personal Services:
16 Salaries, Wages and Fringe Benefits.. \$ 3,419,652.00
17 Travel and Subsistence..... 22,000.00
18 Contractual Services..... 1,597,924.00
19 Commodities..... 91,703.00
20 Capital Outlay:
21 Other Than Equipment..... 0.00
22 Equipment..... 10,000.00
23 Subsidies, Loans and Grants..... 0.00
24 Total..... \$ 5,141,279.00

25 AUTHORIZED POSITIONS:

26 Permanent: Full Time..... 63
27 Part Time..... 2

28           Time-Limited: Full Time.....           0  
29                            Part Time.....           0

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

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

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

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

81 **SECTION 3.** The following sum, or so much thereof as may be  
82 necessary, is hereby appropriated out of any money in the State  
83 Treasury to the credit of the State Personnel Board Training Fund  
84 account, for the purpose of defraying the expenses of the State  
85 Personnel Board Training Seminars for the fiscal year beginning  
86 July 1, 2005, and ending June 30, 2006.....\$ 567,711.00.

87 It is the intention of the Legislature that the State  
88 Personnel Board Training Fund shall have the authority, should  
89 additional funds become available, to escalate and expend those  
90 funds in accordance with the rules and regulations of the  
91 Department of Finance and Administration, in a manner consistent  
92 with the escalation of federal funds.

93 The funds authorized under the provisions of this section  
94 shall be held separate and apart from all other funds in the State  
95 Treasury to the credit of the State Personnel Board.

96 **SECTION 4.** Of the funds appropriated under the provisions of  
97 Section 3, not more than the amounts set forth below shall be  
98 expended for the respective major objects or purposes of  
99 expenditure:

100 MAJOR OBJECTS OF EXPENDITURE:

101 Personal Services:

102	Salaries, Wages and Fringe Benefits.. \$	0.00
103	Travel and Subsistence.....	12,000.00
104	Contractual Services.....	502,918.00
105	Commodities.....	46,793.00
106	Capital Outlay:	
107	Other Than Equipment.....	0.00
108	Equipment.....	6,000.00
109	Subsidies, Loans and Grants.....	<u>0.00</u>
110	Total..... \$	567,711.00

111 **SECTION 5.** It is the intention of the Legislature that the  
112 State Personnel Board shall have the authority to escalate and  
113 expend funds received from state agencies for reimbursement of  
114 costs associated with the hiring of court reporters used in the  
115 Employee Appeals Process. Such funds shall be received and  
116 expended under the rules and regulations of the Department of  
117 Finance and Administration in a manner consistent with the  
118 escalation of federal funds.

119 **SECTION 6.** Of the funds provided in Section 1, the sum of  
120 Two Hundred Thirty-five Thousand Eight Hundred Forty-nine Dollars  
121 (\$235,849.00) is hereby assessed on any non-federal special funds  
122 and shall be deposited to the Budget Contingency Fund created in  
123 Section 27-103-301, Mississippi Code of 1972, on or before October  
124 1, 2005, for the purpose of reimbursing the State of Mississippi  
125 for administrative costs.

126           **SECTION 7.** Of the funds provided in Section 3, the sum of  
127 Twenty-four Thousand Eight Hundred Eighteen Dollars (\$24,818.00)  
128 is hereby assessed on any non-federal special funds and shall be  
129 deposited to the Budget Contingency Fund created in Section 27-  
130 103-301, Mississippi Code of 1972, on or before October 1, 2005,  
131 for the purpose of reimbursing the State of Mississippi for  
132 administrative costs.

133           **SECTION 8.** The money herein appropriated shall be paid by  
134 the State Treasurer out of any money in the State Treasury to the  
135 credit of the proper fund or funds as set forth in this act, upon  
136 warrants issued by the State Fiscal Officer, and the State Fiscal  
137 Officer shall issue his warrants upon requisitions signed by the  
138 proper person, officer or officers in the manner provided by law.

139           **SECTION 9.** This act shall take effect and be in force from  
140 and after July 1, 2005.