

By: Senator(s) Gordon, Little, Dearing, Gollott, Jackson (15th), Lee (47th), Wilemon To: Appropriations

SENATE BILL NO. 2064

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF FINANCE AND ADMINISTRATION 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 General Fund not otherwise appropriated, to defray the expenses of
7 the Department of Finance and Administration for the fiscal year
8 beginning July 1, 2005, and ending June 30, 2006.....
9 ..... \$ 10,884,876.00.

10 SECTION 2. The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Finance and
13 Administration for the purpose of defraying the expenses incurred
14 in the operation of the various offices of the department for the
15 fiscal year beginning July 1, 2005, and ending June 30, 2006.....
16 ..... \$ 21,210,842.00.

17 SECTION 3. Of the funds appropriated under the provisions of
18 Sections 1 and 2, not more than the amounts set forth below shall
19 be expended for the respective major objects or purposes of
20 expenditure:

21 MAJOR OBJECTS OF EXPENDITURE:

- 22 Personal Services:
23 Salaries, Wages and Fringe Benefits.. \$ 16,385,849.00
24 Travel and Subsistence..... 190,944.00
25 Contractual Services..... 12,873,069.00
26 Commodities..... 956,591.00
27 Capital Outlay:

28	Other Than Equipment.....		0.00
29	Equipment.....		968,215.00
30	Subsidies, Loans and Grants.....		<u>721,050.00</u>
31	Total.....	\$	32,095,718.00

32 FUNDING:

33	General Funds.....	\$	10,884,876.00
34	Special Funds.....		<u>21,210,842.00</u>
35	Total.....	\$	32,095,718.00

36 AUTHORIZED POSITIONS:

37	Permanent:	Full Time.....	332
38		Part Time.....	2
39	Time-Limited:	Full Time.....	0
40		Part Time.....	0

41 Provided that a report based on expenditures incurred during  
42 the current and immediate-past fiscal years shall be provided to  
43 each regularly scheduled legislative session. This report should  
44 reflect expenditures as a result of the operation of the Robert E.  
45 Lee Building, the Woolfolk State Office Building, the Gartin and  
46 Sillers Buildings, the Capitol Buildings, the Central High School  
47 Building, the Robert G. Clark, Jr., Building and other state  
48 buildings, and this report should contain any steps taken to  
49 reduce operating costs.

50 It is also the intention of the Legislature that no  
51 state-owned aircraft shall be utilized by any person except for  
52 official business only.

53 **SECTION 4.** In addition to all other sums herein  
54 appropriated, the following sum, or so much thereof as may be  
55 necessary, is hereby appropriated out of any money in the special  
56 fund in the State Treasury to the credit of the Tort Claims Fund  
57 for the purpose of defraying the expenses of the Tort Claims Board  
58 in the administration of the Tort Claims Act for the fiscal year  
59 beginning July 1, 2005, and ending June 30, 2006.....  
60 ..... \$ 10,502,483.00.

61 Of the funds appropriated under the provisions of this  
 62 section, not more than the amounts set forth below shall be  
 63 expended for the respective major objects or purposes of  
 64 expenditure:

65 MAJOR OBJECTS OF EXPENDITURE:

66 Personal Services:

67 Salaries, Wages and Fringe Benefits.. \$ 358,301.00

68 Travel and Subsistence..... 17,400.00

69 Contractual Services..... 4,125,894.00

70 Commodities..... 6,800.00

71 Capital Outlay:

72 Other Than Equipment..... 0.00

73 Equipment..... 3,000.00

74 Subsidies, Loans and Grants..... 5,991,088.00

75 Total..... \$ 10,502,483.00

76 FUNDING:

77 General Funds..... \$ 0.00

78 Special Funds..... 10,502,483.00

79 Total..... \$ 10,502,483.00

80 AUTHORIZED POSITIONS:

81 Permanent: Full Time..... 6

82 Part Time..... 0

83 Time-Limited: Full Time..... 0

84 Part Time..... 0

85 **SECTION 5.** In addition to all other sums herein

86 appropriated, the following sum or so much thereof as may be  
 87 necessary is hereby appropriated out of any money in the State  
 88 Treasury to the credit of the Medical Malpractice Fund for the  
 89 purpose of defraying the expenses of the Tort Claims Board in  
 90 administering the Medical Malpractice Insurance Availability Plan,  
 91 for the fiscal year beginning July 1, 2005, and ending

92 June 30, 2006..... \$ 376,140.00.

93 Of the funds appropriated under the provisions of this  
 94 section, not more than the amounts set forth below shall be  
 95 expended for the respective major objects or purposes of  
 96 expenditure:

97 MAJOR OBJECTS OF EXPENDITURE:

98 Personal Services:

99	Salaries, Wages and Fringe Benefits..	\$	241,518.00
100	Travel and Subsistence.....		10,000.00
101	Contractual Services.....		120,122.00
102	Commodities.....		1,000.00
103	Capital Outlay:		
104	Other Than Equipment.....		0.00
105	Equipment.....		3,500.00
106	Subsidies, Loans and Grants.....		0.00
107	Total.....	\$	376,140.00

108 FUNDING:

109	General Funds.....	\$	0.00
110	Special Funds.....		376,140.00
111	Total.....	\$	376,140.00

112 AUTHORIZED POSITIONS:

113	Permanent:	Full Time.....	5
114		Part Time.....	0
115	Time-Limited:	Full Time.....	0
116		Part Time.....	0

117 **SECTION 6.** With the funds herein appropriated, it is the  
 118 intention of the Legislature that it shall be the agency's  
 119 responsibility to make certain that funds required to be  
 120 appropriated for "Personal Services" for Fiscal Year 2007 do not  
 121 exceed Fiscal Year 2006 funds appropriated for that purpose,  
 122 unless programs or positions are added to the agency's Fiscal Year  
 123 2007 budget by the Mississippi Legislature. Based on data  
 124 provided by the Legislative Budget Office, the State Personnel  
 125 Board shall determine and publish the projected annual cost to

126 fully fund all appropriated positions in compliance with the  
127 provisions of this act. It shall be the responsibility of the  
128 agency head to insure that no single personnel action increases  
129 this projected annual cost and/or the Fiscal Year 2006  
130 appropriation for "Personal Services" when annualized, with the  
131 exception of escalated funds. If, at the time the agency takes  
132 any action to change "Personal Services," the State Personnel  
133 Board determines that the agency has taken an action which would  
134 cause the agency to exceed this projected annual cost or the  
135 Fiscal Year 2006 "Personal Services" appropriated level, when  
136 annualized, then only those actions which reduce the projected  
137 annual cost and/or the appropriation requirement will be processed  
138 by the State Personnel Board until such time as the requirements  
139 of this provision are met.

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

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

153 The agency shall not take any action to promote or otherwise  
154 award salary increases through reallocation, reclassification,  
155 realignment, education benchmark, career ladder, or any other  
156 means to increase salaries of employees or positions unless  
157 specifically exempted by the following conditions: the award of  
158 teacher pay increases, the advancement of a trainee/cadet to the

159 next level of a bona fide career ladder, the award of an  
160 educational benchmark for the attainment of Certified Public  
161 Accountant License or higher level professional certification as  
162 determined by the State Personnel Board, the immediate replacement  
163 of a departing employee with an individual from within state  
164 service or a new hire at a salary level equivalent to that of the  
165 departing employee, and the emergency appointment of nurses,  
166 pharmacists or other health care professionals at a salary to be  
167 determined by the State Personnel Board, unless otherwise  
168 authorized in this act.

169       **SECTION 7.** The Bureau of Building, Grounds and Real Property  
170 Management of the Office of General Services is hereby expressly  
171 authorized and empowered to receive, budget and expend any state,  
172 local or other source funds designated for supplemental funding of  
173 construction and/or repairs and renovation projects.

174       **SECTION 8.** Of the funds appropriated under the provisions of  
175 Section 2, the following amounts are authorized to be spent out of  
176 the Statewide Cost Allocation Fund No. 3143 by the Department of  
177 Finance and Administration:

178       (a) Three Hundred Two Thousand Fifty Dollars (\$302,050.00)  
179       for the purpose of defraying computer expenses.

180       (b) One Million Eighty-seven Thousand One Hundred Twenty-  
181       eight Dollars (\$1,087,128.00) for the purpose of  
182       defraying the cost of the acquisition, development and  
183       implementation of the Statewide Automated Accounting  
184       System, which includes implementation and operation of  
185       an imaging/electronic processing system and records  
186       management.

187       (c) One Million One Hundred Ninety-eight Thousand Two  
188       Hundred Thirty-six Dollars (\$1,198,236.00) for the  
189       purpose of defraying the expenses of administration of  
190       the Statewide Cost Allocation Plan, utilities for the  
191       Capitol Complex, and Air Transport Services.

192           **SECTION 9.** It is the intention of the Legislature that the  
193 Department of Finance and Administration shall maintain complete  
194 accounting and personnel records related to the expenditure of all  
195 funds appropriated under this act and that such records shall be  
196 in the same format and level of detail as maintained for Fiscal  
197 Year 2005. It is further the intention of the Legislature that  
198 the agency's budget request for Fiscal Year 2007 shall be  
199 submitted to the Joint Legislative Budget Committee in a format  
200 and level of detail comparable to the format and level of detail  
201 provided during the Fiscal Year 2006 budget request process.

202           **SECTION 10.** It is the intention of the Legislature that the  
203 Executive Director of the Mississippi Department of Finance and  
204 Administration may authorize increases in major objects of  
205 expenditure in total amounts not to exceed twenty-five percent  
206 (25%) of the appropriated amount of each major object of  
207 expenditure, provided that other major objects of expenditure are  
208 decreased by a corresponding dollar amount. However, no transfers  
209 shall be authorized which increase the major object of expenditure  
210 "Salaries, Wages and Fringe Benefits."

211           **SECTION 11.** The Department of Finance and Administration  
212 shall have the authority to enter into leases with the vendors at  
213 the property located in the northwest quadrant of the intersection  
214 of Woodrow Wilson Avenue and West Street in Jackson, Mississippi,  
215 commonly known as the Farmer's Market for a lease period not to  
216 exceed two (2) years. The Department of Finance and Administration  
217 is required to offer a lease agreement to each vendor that is  
218 occupying lease space as of April 1, 2005, at said location. Only  
219 those vendors which are current vendors of the Farmer's Market  
220 located in the northwest quadrant of the intersection of Woodrow  
221 Wilson Avenue and West Street in Jackson, Mississippi, at the time  
222 of passage may enter into leases with the Department of Finance  
223 and Administration. The funds derived from the rent proceeds of  
224 said property shall be deposited in the Capital Facilities Rent

225 Fund (Fund 3131) in the State Treasury. The Department of Finance  
226 and Administration shall not increase the rent charged to vendors.  
227 It is the intention of the Legislature that the Department of  
228 Finance and Administration is hereby authorized to escalate,  
229 budget, and expend funds in an amount not to exceed Three Hundred  
230 Thousand Dollars (\$300,000.00) and four (4) permanent position for  
231 costs associated with maintaining, repairing, providing security,  
232 paying utilities, and related expenses for said property. The  
233 escalation authority granted in this section shall only be  
234 permitted with funds derived from rent revenues from leases on  
235 said properties.

236       **SECTION 12.** The money herein appropriated shall be paid by  
237 the State Treasurer out of any money in the State Treasury to the  
238 credit of the proper fund or funds as set forth in this act, upon  
239 warrants issued by the State Fiscal Officer; and the State Fiscal  
240 Officer shall issue his warrants upon requisitions signed by the  
241 proper person, officer or officers, in the manner provided by law.

242       **SECTION 13.** This act shall take effect and be in force from  
243 and after July 1, 2005.