

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

To: Appropriations

SENATE BILL NO. 3007
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEARS 2006 AND
3 2007.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, to defray the expenses of
8 the Department of Finance and Administration for the fiscal year
9 beginning July 1, 2006, and ending June 30, 2007.....
10 \$ 11,500,279.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the State
13 Treasury to the credit of the Department of Finance and
14 Administration for the purpose of defraying the expenses incurred
15 in the operation of the various offices of the department for the
16 fiscal year beginning July 1, 2006, and ending June 30, 2007.....
17 \$ 28,966,170.00.

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:		
24	Salaries, Wages and Fringe Benefits..	\$	19,133,983.00
25	Travel and Subsistence.....		244,248.00
26	Contractual Services.....		18,224,310.00
27	Commodities.....		1,171,147.00

28	Capital Outlay:		
29	Other Than Equipment.....		0.00
30	Equipment.....		958,293.00
31	Subsidies, Loans and Grants.....		<u>734,468.00</u>
32	Total.....	\$	40,466,449.00

33	FUNDING:		
34	General Funds.....	\$	11,500,279.00
35	Special Funds.....		<u>28,966,170.00</u>
36	Total.....	\$	40,466,449.00

37	AUTHORIZED POSITIONS:		
38	Permanent: Full Time.....	367	
39	Part Time.....	2	
40	Time-Limited: Full Time.....	0	
41	Part Time.....	0	

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

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

54 **SECTION 4.** In addition to all other sums herein
55 appropriated, the following sum, or so much thereof as may be
56 necessary, is hereby appropriated out of any money in the special
57 fund in the State Treasury to the credit of the Tort Claims Fund
58 for the purpose of defraying the expenses of the Tort Claims Board
59 in the administration of the Tort Claims Act for the fiscal year
60 beginning July 1, 2006, and ending June 30, 2007.....

61 \$ 10,764,387.00.

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

66 MAJOR OBJECTS OF EXPENDITURE:

67 Personal Services:

68	Salaries, Wages and Fringe Benefits..	\$	373,930.00
69	Travel and Subsistence.....		17,400.00
70	Contractual Services.....		4,340,250.00
71	Commodities.....		6,800.00
72	Capital Outlay:		
73	Other Than Equipment.....		0.00
74	Equipment.....		3,000.00
75	Subsidies, Loans and Grants.....		<u>6,023,007.00</u>
76	Total.....	\$	10,764,387.00

77 FUNDING:

78	General Funds.....	\$	0.00
79	Special Funds.....		<u>10,764,387.00</u>
80	Total.....	\$	10,764,387.00

81 AUTHORIZED POSITIONS:

82	Permanent:	Full Time.....	6
83		Part Time.....	0
84	Time-Limited:	Full Time.....	0
85		Part Time.....	0

86 **SECTION 5.** In addition to all other sums herein
87 appropriated, the following sum or so much thereof as may be
88 necessary is hereby appropriated out of any money in the State
89 Treasury to the credit of the Medical Malpractice Fund for the
90 purpose of defraying the expenses of the Tort Claims Board in
91 administering the Medical Malpractice Insurance Availability Plan,
92 for the fiscal year beginning July 1, 2006, and ending
93 June 30, 2007..... \$ 407,700.00.

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

98 MAJOR OBJECTS OF EXPENDITURE:

99 Personal Services:

100	Salaries, Wages and Fringe Benefits..	\$	249,218.00
101	Travel and Subsistence.....		10,000.00
102	Contractual Services.....		144,482.00
103	Commodities.....		1,000.00
104	Capital Outlay:		
105	Other Than Equipment.....		0.00
106	Equipment.....		3,000.00
107	Subsidies, Loans and Grants.....		0.00
108	Total.....	\$	407,700.00

109 FUNDING:

110	General Funds.....	\$	0.00
111	Special Funds.....		407,700.00
112	Total.....	\$	407,700.00

113 AUTHORIZED POSITIONS:

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

118 **SECTION 6.** Funds are provided herein to adjust the Variable
 119 Compensation Plan to ensure that all full-time employees receive a
 120 pay increase equal to the realignment component of the Variable
 121 Compensation Plan or Fifteen Hundred Dollars (\$1,500.00),
 122 whichever is greater, with not more than one-half (1/2) to be
 123 awarded on July 1, 2006, with the remainder to be awarded on
 124 January 1, 2007.

125 With the funds herein appropriated, it is the intention of
 126 the Legislature that it shall be the agency's responsibility to

127 make certain that funds required to be appropriated for "Personal
128 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
129 funds appropriated for that purpose, unless programs or positions
130 are added to the agency's Fiscal Year 2008 budget by the
131 Mississippi Legislature. Based on data provided by the
132 Legislative Budget Office, the State Personnel Board shall
133 determine and publish the projected annual cost to fully fund all
134 appropriated positions in compliance with the provisions of this
135 act. It shall be the responsibility of the agency head to insure
136 that no single personnel action increases this projected annual
137 cost and/or the Fiscal Year 2007 appropriation for "Personal
138 Services" when annualized, with the exception of escalated funds.
139 If, at the time the agency takes any action to change "Personal
140 Services," the State Personnel Board determines that the agency
141 has taken an action which would cause the agency to exceed this
142 projected annual cost or the Fiscal Year 2007 "Personal Services"
143 appropriated level, when annualized, then only those actions which
144 reduce the projected annual cost and/or the appropriation
145 requirement will be processed by the State Personnel Board until
146 such time as the requirements of this provision are met.

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

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

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

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

169 (a) Three Hundred Seven Thousand Three Hundred Dollars
170 (\$307,300.00) for the purpose of defraying computer
171 expenses.

172 (b) Four Hundred Seventy-two Thousand Six Hundred
173 Twenty-eight Dollars (\$472,628.00) the purpose of
174 providing statewide accounting, payroll and document
175 management.

176 (c) Two Hundred Forty Thousand Three Dollars (\$240,003.00)
177 for the purpose of defraying the expenses of
178 administration of the Statewide Cost Allocation Plan,
179 utilities for the Capitol Complex, and Air Transport
180 Services.

181 **SECTION 9.** It is the intention of the Legislature that the
182 Department of Finance and Administration shall maintain complete
183 accounting and personnel records related to the expenditure of all
184 funds appropriated under this act and that such records shall be
185 in the same format and level of detail as maintained for Fiscal
186 Year 2006. It is further the intention of the Legislature that
187 the agency's budget request for Fiscal Year 2008 shall be
188 submitted to the Joint Legislative Budget Committee in a format
189 and level of detail comparable to the format and level of detail
190 provided during the Fiscal Year 2007 budget request process.

191 **SECTION 10.** It is the intention of the Legislature that the
192 Executive Director of the Mississippi Department of Finance and

193 Administration may authorize increases in major objects of
194 expenditure in total amounts not to exceed twenty-five percent
195 (25%) of the appropriated amount of each major object of
196 expenditure, provided that other major objects of expenditure are
197 decreased by a corresponding dollar amount. However, no transfers
198 shall be authorized which increase the major object of expenditure
199 "Salaries, Wages and Fringe Benefits."

200 **SECTION 11.** The department is authorized to expend available
201 funds on technology or equipment upgrades or replacements when it
202 will generate savings through efficiency or when the savings
203 generated from such upgrades or replacements exceed expenditures
204 thereof.

205 **SECTION 12.** It is the intention of the Legislature that
206 whenever two (2) or more bids are received by this agency for the
207 purchase of commodities or equipment, and whenever all things
208 stated in such received bids are equal with respect to price,
209 quality and service, the Mississippi Industries for the Blind
210 shall be given preference. A similar preference shall be given to
211 the Mississippi Industries for the Blind whenever purchases are
212 made without competitive bids.

213 **SECTION 13.** Of the funds appropriated under the provisions of
214 Section 2, Five Hundred Thousand Dollars (\$500,000.00) shall be
215 derived from the Budget Contingency Fund created in Section
216 27-103-301, Mississippi Code of 1972, for the purpose of defraying
217 the expenses of the Department of Finance and Administration.

218 **SECTION 14.** In the event that legislation is adopted by the
219 Legislature, and approved by the Governor, creating a Bureau of
220 Fleet Management within the Office of Purchasing, Travel, and
221 Fleet Management, the Department of Finance and Administration may
222 expend up to \$938,440 to defray the cost of the program and hire
223 five (5) Permanent Full Time positions, upon passage of this act,
224 for the purpose of implementing the requirements as authorized in
225 Senate Bill No. 2398, Regular Session of 2006. If SB 2398 is not

226 enacted, the sum of \$938,440 shall not be expended and shall lapse
227 to the State General Fund.

228 **SECTION 15.** It is the intention of the Legislature that the
229 Department of Finance and Administration is hereby authorized to
230 escalate, budget and expend funds from any source, not to exceed
231 One Million Dollars (\$1,000,000.00), for the purpose of paying
232 utility expenses of state owned facilities, in accordance with
233 rules and regulations of the Department of Finance and
234 Administration in a manner consistent with the escalation of
235 federal funds.

236 **SECTION 16.** In the event that legislation is adopted by the
237 Legislature, and approved by the Governor, to authorize the Tort
238 Claims Board to transfer the assets and liabilities of the Medical
239 Malpractice Insurance Availability Plan, the Department of Finance
240 and Administration may transfer four (4) Permanent Full Time
241 positions from the Medical Malpractice Insurance Availability
242 Plan, along with budget authority to provide for support costs, to
243 the Tort Claims Board. One (1) of these positions may be
244 appropriately reallocated to administer the state property
245 insurance program as authorized in House Bill 4,
246 Fifth Extraordinary Session of 2005.

247 **SECTION 17.** In addition to all other sums heretofore
248 appropriated, the following sum, or so much thereof as may be
249 necessary, is hereby appropriated out of any money in the State
250 General Fund, not otherwise appropriated, to the Tort Claims Board
251 for the purpose of defraying the expenses of the board for the
252 period beginning upon passage of this act and ending June 30,
253 2007....

254\$ 10,000,000.00.

255 This additional appropriation is made for the purpose of
256 purchasing property insurance on state property as required by the
257 Stafford Act, Section 311, Paragraph 5154 and 44 CFR 206.252 and

258 206.253, and House Bill No. 4, Fifth Extraordinary Session of
259 2005.

260 **SECTION 18.** The money herein appropriated shall be paid by
261 the State Treasurer out of any money in the State Treasury to the
262 credit of the proper fund or funds as set forth in this act, upon
263 warrants issued by the State Fiscal Officer; and the State Fiscal
264 Officer shall issue his warrants upon requisitions signed by the
265 proper person, officer or officers, in the manner provided by law.

266 **SECTION 19.** This act shall take effect and be in force from
267 and after July 1, 2006, except for Section 17 which shall take
268 effect and be in force from and after its passage.