

By: Senator(s) Gordon, Little, Thames,
Chaney, Davis, Kirby, Williamson, Dearing,
Posey

To: Appropriations

SENATE BILL NO. 3012

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2007.

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, 2006, and ending June 30, 2007.....
9 \$ 621,523.00.

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, 2006, and ending June 30, 2007.....
17 \$ 2,422,600.00.

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..	\$	1,824,446.00
25	Travel and Subsistence.....		15,000.00
26	Contractual Services.....		1,051,677.00
27	Commodities.....		51,000.00

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.....	\$ 3,044,123.00

33 FUNDING:

34	General Funds.....	\$ 621,523.00
35	Special Funds.....	<u>2,422,600.00</u>
36	Total.....	\$ 3,044,123.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time.....	31
39	Part Time.....	0
40	Time-Limited: Full Time.....	0
41	Part Time.....	0

42 Funds are provided herein to adjust the Variable Compensation
43 Plan to ensure that all full-time employees receive a pay increase
44 equal to the realignment component of the Variable Compensation
45 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
46 beginning on July 1, 2006.

47 Pursuant to policies established by the State Personnel
48 Board, agency heads may, on a case by case basis and within funds
49 available, recommend equity salary adjustments to Fiscal Year 2006
50 agency appropriation acts where application of limitations result
51 in awarding one employee a salary increase greater than another
52 employee within the same agency, with the same job classification
53 series and greater longevity.

54 With the funds herein appropriated, it is the intention of
55 the Legislature that it shall be the agency's responsibility to
56 make certain that funds required to be appropriated for "Personal
57 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
58 funds appropriated for that purpose, unless programs or positions
59 are added to the agency's Fiscal Year 2008 budget by the
60 Mississippi Legislature. Based on data provided by the

61 Legislative Budget Office, the State Personnel Board shall
62 determine and publish the projected annual cost to fully fund all
63 appropriated positions in compliance with the provisions of this
64 act. It shall be the responsibility of the agency head to insure
65 that no single personnel action increases this projected annual
66 cost and/or the Fiscal Year 2007 appropriation for "Personal
67 Services" when annualized, with the exception of escalated funds.
68 If, at the time the agency takes any action to change "Personal
69 Services," the State Personnel Board determines that the agency
70 has taken an action which would cause the agency to exceed this
71 projected annual cost or the Fiscal Year 2007 "Personal Services"
72 appropriated level, when annualized, then only those actions which
73 reduce the projected annual cost and/or the appropriation
74 requirement will be processed by the State Personnel Board until
75 such time as the requirements of this provision are met.

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

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

89 **SECTION 4.** In addition to all other sums herein
90 appropriated, the following sum, or so much thereof as may be
91 necessary, is hereby appropriated out of any money in the State
92 Treasury to the credit of the Education Improvement Trust Fund No.

93 3219 for the purpose of investing funds for the fiscal year
 94 beginning July 1, 2006, and ending June 30, 2007.....
 95 \$ 125,000.00.

96 **SECTION 5.** The following sum, or so much thereof as may be
 97 necessary, is hereby appropriated out of any money in the State
 98 Treasury to the credit of the Mississippi Prepaid Affordable
 99 College Tuition Administrative Fund to defray the costs of the
 100 Mississippi Prepaid Affordable College Tuition Program for the
 101 fiscal year beginning July 1, 2006, and ending June 30, 2007.....
 102 \$ 1,274,028.00.

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

107 MAJOR OBJECTS OF EXPENDITURE:

108 Personal Services:

109	Salaries, Wages and Fringe Benefits..	\$	155,603.00
110	Travel and Subsistence.....		14,987.00
111	Contractual Services.....		1,065,306.00
112	Commodities.....		34,932.00
113	Capital Outlay:		
114	Other Than Equipment.....		0.00
115	Equipment.....		3,200.00
116	Subsidies, Loans and Grants.....		0.00
117	Total.....	\$	1,274,028.00

118 AUTHORIZED POSITIONS:

119	Permanent:	Full Time.....	4
120		Part Time.....	0
121	Time-Limited:	Full Time.....	0
122		Part Time.....	0

123 **SECTION 7.** The following sum, or so much thereof as may be
 124 necessary, is hereby appropriated out of any money in the State
 125 Treasury to the credit of the Mississippi Prepaid Affordable

126 College Tuition Trust Fund for the purpose of paying all amounts
127 due for prepaid tuition contracts of the Mississippi Prepaid
128 Affordable College Tuition Program, for the fiscal year beginning
129 July 1, 2006, and ending June 30, 2007..... \$ 18,000,000.00.

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

140 **SECTION 8.** The following sum, or so much thereof as may be
141 necessary, is hereby appropriated out of any money in the State
142 General Fund not otherwise appropriated, to defray the expenses of
143 the Office of the State Treasurer-Health Care Trust Fund Board,
144 for the fiscal year beginning July 1, 2006, and ending
145 June 30, 2007..... \$ 20,632.00.

146 **SECTION 9.** The following sum, or so much thereof as may be
147 necessary, is hereby appropriated out of any money in the State
148 Treasury to the credit of the Health Care Expendable Fund, created
149 under House Bill No. 519, 1999 Regular Session, for the purpose of
150 defraying the expenses of the Office of the State Treasurer for
151 the fiscal year beginning July 1, 2006, and ending
152 June 30, 2007..... \$ 79,385.00.

153 **SECTION 10.** Of the funds appropriated under the provisions
154 of Sections 8 and 9, not more than the amounts set forth below
155 shall be expended for the respective major objects or purposes of
156 expenditure:

157 MAJOR OBJECTS OF EXPENDITURE:

158 Personal Services:

159	Salaries, Wages and Fringe Benefits.. \$	49,070.00
160	Travel and Subsistence.....	2,700.00
161	Contractual Services.....	46,247.00
162	Commodities.....	2,000.00
163	Capital Outlay:	
164	Other Than Equipment.....	0.00
165	Equipment.....	0.00
166	Subsidies, Loans and Grants.....	0.00
167	Total..... \$	100,017.00

168 AUTHORIZED POSITIONS:

169	Permanent: Full Time.....	1
170	Part Time.....	0
171	Time-Limited: Full Time.....	0
172	Part Time.....	0

173 **SECTION 11.** The following sum, or so much thereof as may be
174 necessary, is hereby appropriated out of any money in the State
175 Treasury to the credit of the Mississippi Affordable College
176 Savings Administrative Fund to defray the costs of the Mississippi
177 Affordable College Savings Program for the fiscal year beginning
178 July 1, 2006, and ending June 30, 2007..... \$ 175,888.00.

179 **SECTION 12.** Of the funds appropriated under the provisions
180 of Section 11, not more than the amounts set forth below shall be
181 expended for the respective major objects or purposes of
182 expenditure:

183 MAJOR OBJECTS OF EXPENDITURE:

184 Personal Services:

185	Salaries, Wages and Fringe Benefits.. \$	100,768.00
186	Travel and Subsistence.....	13,592.00
187	Contractual Services.....	57,663.00
188	Commodities.....	3,865.00
189	Capital Outlay:	
190	Other Than Equipment.....	0.00
191	Equipment.....	0.00

192 Subsidies, Loans and Grants..... 0.00
193 Total..... \$ 175,888.00

194 AUTHORIZED POSITIONS:

195	Permanent:	Full Time.....	2
196		Part Time.....	0
197	Time-Limited:	Full Time.....	0
198		Part Time.....	0

199 **SECTION 13.** No part of the funds appropriated herein shall
200 be used in the payment of attorney's fees, nor shall any of said
201 funds be used either directly or indirectly, for the purpose of
202 paying any clerk, stenographer, assistant, deputy or other person
203 who may be related by blood or marriage within the third degree,
204 computed by the rules of the civil law, to the official employing
205 or having the right of employment or selection thereof; and in the
206 event of any such payment, then the official or person approving
207 and making or receiving such payment shall be jointly and
208 severally liable to return to the State of Mississippi and to pay
209 into the State Treasury three (3) times any such amount so paid or
210 received, to be recovered at suit of the Attorney General;
211 provided that when the relationship is by affinity and the person
212 through whom the relationship was established is dead, this
213 provision shall not apply.

214 **SECTION 14.** It is the intention of the Legislature that the
215 Office of the State Treasurer shall maintain complete accounting
216 and personnel records related to the expenditure of all funds
217 appropriated under the provisions of this act and that such
218 records shall be in the same format and level of details as
219 maintained for Fiscal Year 2006. It is further the intention of
220 the Legislature that the budget request for Fiscal Year 2008 shall
221 be submitted to the Joint Legislative Budget Committee in a format
222 and level of detail comparable to the format and level of detail
223 provided during the Fiscal Year 2007 budget request process.

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

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

238 **SECTION 17.** This act shall take effect and be in force from
239 and after July 1, 2006.