

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

To: Appropriations

SENATE BILL NO. 3027
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2007.

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, 2006, and ending June 30, 2007.....

9 \$ 5,322,933.00

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.. \$ 3,586,459.00

17 Travel and Subsistence..... 32,000.00

18 Contractual Services..... 1,513,424.00

19 Commodities..... 133,800.00

20 Capital Outlay:

21 Other Than Equipment..... 0.00

22 Equipment..... 57,250.00

23 Subsidies, Loans and Grants..... 0.00

24 Total..... \$ 5,322,933.00

25 AUTHORIZED POSITIONS:

26 Permanent: Full Time..... 63

27 Part Time..... 2

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

30 Funds are provided herein to adjust the Variable Compensation
31 Plan to ensure that all full-time employees receive a pay increase
32 equal to the realignment component of the Variable Compensation
33 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
34 with not more than one-half (1/2) to be awarded on July 1, 2006,
35 with the remainder to be awarded on January 1, 2007.

36 With the funds herein appropriated, it is the intention of
37 the Legislature that it shall be the agency's responsibility to
38 make certain that funds required to be appropriated for "Personal
39 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
40 funds appropriated for that purpose, unless programs or positions
41 are added to the agency's Fiscal Year 2008 budget by the
42 Mississippi Legislature. Based on data provided by the
43 Legislative Budget Office, the State Personnel Board shall
44 determine and publish the projected annual cost to fully fund all
45 appropriated positions in compliance with the provisions of this
46 act. It shall be the responsibility of the agency head to insure
47 that no single personnel action increases this projected annual
48 cost and/or the Fiscal Year 2007 appropriation for "Personal
49 Services" when annualized, with the exception of escalated funds.
50 If, at the time the agency takes any action to change "Personal
51 Services," the State Personnel Board determines that the agency
52 has taken an action which would cause the agency to exceed this
53 projected annual cost or the Fiscal Year 2007 "Personal Services"
54 appropriated level, when annualized, then only those actions which
55 reduce the projected annual cost and/or the appropriation
56 requirement will be processed by the State Personnel Board until
57 such time as the requirements of this provision are met.

58 Any transfers or escalations shall be made in accordance with
59 the terms, conditions and procedures established by law or
60 allowable under the terms set forth within this act. The State

61 Personnel Board shall not escalate positions without written
62 approval from the Department of Finance and Administration. The
63 Department of Finance and Administration shall not provide written
64 approval to escalate any funds for salaries and/or positions
65 without proof of availability of new or additional funds above the
66 appropriated level.

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

71 **SECTION 3.** The following sum, or so much thereof as may be
72 necessary, is hereby appropriated out of any money in the State
73 Treasury to the credit of the State Personnel Board Training Fund
74 account, for the purpose of defraying the expenses of the State
75 Personnel Board Training Seminars for the fiscal year beginning
76 July 1, 2006, and ending June 30, 2007.....\$ 567,711.00.

77 It is the intention of the Legislature that the State
78 Personnel Board Training Fund shall have the authority, should
79 additional funds become available, to escalate and expend those
80 funds in accordance with the rules and regulations of the
81 Department of Finance and Administration, in a manner consistent
82 with the escalation of federal funds.

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

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

90 MAJOR OBJECTS OF EXPENDITURE:

91 Personal Services:

92	Salaries, Wages and Fringe Benefits.. \$	0.00
93	Travel and Subsistence.....	12,000.00

94	Contractual Services.....	502,918.00
95	Commodities.....	46,793.00
96	Capital Outlay:	
97	Other Than Equipment.....	0.00
98	Equipment.....	6,000.00
99	Subsidies, Loans and Grants.....	<u>0.00</u>
100	Total..... \$	567,711.00

101 **SECTION 5.** It is the intention of the Legislature that the
102 State Personnel Board shall have the authority to escalate and
103 expend funds received from state agencies for reimbursement of
104 costs associated with the hiring of court reporters used in the
105 Employee Appeals Process. Such funds shall be received and
106 expended under the rules and regulations of the Department of
107 Finance and Administration in a manner consistent with the
108 escalation of federal funds.

109 **SECTION 6.** It is the intention of the Legislature that the
110 State Personnel Board shall maintain complete accounting and
111 personnel records related to the expenditure of all funds
112 appropriated under this act and that such records shall be in the
113 same format and level of detail as maintained for Fiscal Year
114 2006. It is further the intention of the Legislature that the
115 agency's budget request for Fiscal Year 2008 shall be submitted to
116 the Joint Legislative Budget Committee in a format and level of
117 detail comparable to the format and level of detail provided
118 during the Fiscal Year 2007 budget request process.

119 **SECTION 7.** It is the intention of the Legislature that
120 whenever two (2) or more bids are received by this agency for the
121 purchase of commodities or equipment, and whenever all things
122 stated in such received bids are equal with respect to price,
123 quality and service, the Mississippi Industries for the Blind
124 shall be given preference. A similar preference shall be given to
125 the Mississippi Industries for the Blind whenever purchases are
126 made without competitive bids.

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

133 **SECTION 9.** This act shall take effect and be in force from
134 and after July 1, 2006.