

By: Senator(s) Gordon, Little, Gollott,
Kirby, Moffatt, Thames

To: Appropriations

SENATE BILL NO. 3043

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE
2 SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE
3 FOR FISCAL YEAR 2007.

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

5 **SECTION 1.** The following sum of money, or so much thereof as
6 may be necessary, is hereby appropriated out of any money in the
7 State Treasury to the credit of the State Department of Banking
8 and Consumer Finance, for the support of the State Department of
9 Banking and Consumer Finance, for the fiscal year beginning
10 July 1, 2006, and ending June 30, 2007.....
11 \$ 5,279,097.00.

12 **SECTION 2.** With the funds appropriated under the provisions
13 of Section 1, the following positions are authorized:

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	54
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

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

24 Pursuant to policies established by the State Personnel
25 Board, agency heads may, on a case by case basis and within funds
26 available, recommend equity salary adjustments to Fiscal Year 2006
27 agency appropriation acts where application of limitations result

28 in awarding one employee a salary increase greater than another
29 employee within the same agency, with the same job classification
30 series and greater longevity.

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

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

60 without proof of availability of new or additional funds above the
61 appropriated level.

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

66 **SECTION 3.** It is the intention of the Legislature that the
67 Banking and Consumer Finance shall maintain complete accounting
68 and personnel records related to the expenditure of all funds
69 appropriated under this act and that such records shall be in the
70 same format and level of detail as maintained for Fiscal Year
71 2006. It is further the intention of the Legislature that the
72 agency's budget request for Fiscal Year 2008 shall be submitted to
73 the Joint Legislative Budget Committee in a format and level of
74 detail comparable to the format and level of detail provided
75 during the Fiscal Year 2007 budget request process.

76 **SECTION 4.** The money herein appropriated shall be paid by
77 the State Treasurer out of any money in the State Treasury to the
78 credit of the proper fund or funds as set forth in this act, upon
79 warrants issued by the State Fiscal Officer; and the State Fiscal
80 Officer shall issue his warrants upon requisitions signed by the
81 proper person, officer or officers in the manner provided by law.

82 **SECTION 5.** This act shall take effect and be in force from
83 and after July 1, 2006.