

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

To: Appropriations

SENATE BILL NO. 3043  
(As Sent to Governor)

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 ..... \$ 6,112,096.00.

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.....	59
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 Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
23 with not more than one-half (1/2) to be awarded on July 1, 2006,  
24 with the remainder to be awarded on January 1, 2007.

25 With the funds herein appropriated, it is the intention of  
26 the Legislature that it shall be the agency's responsibility to  
27 make certain that funds required to be appropriated for "Personal

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

47 Any transfers or escalations shall be made in accordance with  
48 the terms, conditions and procedures established by law or  
49 allowable under the terms set forth within this act. The State  
50 Personnel Board shall not escalate positions without written  
51 approval from the Department of Finance and Administration. The  
52 Department of Finance and Administration shall not provide written  
53 approval to escalate any funds for salaries and/or positions  
54 without proof of availability of new or additional funds above the  
55 appropriated level.

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

60           **SECTION 3.** It is the intention of the Legislature that the  
61 Banking and Consumer Finance shall maintain complete accounting  
62 and personnel records related to the expenditure of all funds  
63 appropriated under this act and that such records shall be in the  
64 same format and level of detail as maintained for Fiscal Year  
65 2006. It is further the intention of the Legislature that the  
66 agency's budget request for Fiscal Year 2008 shall be submitted to  
67 the Joint Legislative Budget Committee in a format and level of  
68 detail comparable to the format and level of detail provided  
69 during the Fiscal Year 2007 budget request process.

70           **SECTION 4.** It is the intention of the Legislature that  
71 whenever two (2) or more bids are received by this agency for the  
72 purchase of commodities or equipment, and whenever all things  
73 stated in such received bids are equal with respect to price,  
74 quality and service, the Mississippi Industries for the Blind  
75 shall be given preference. A similar preference shall be given to  
76 the Mississippi Industries for the Blind whenever purchases are  
77 made without competitive bids.

78           **SECTION 5.** The money herein appropriated shall be paid by  
79 the State Treasurer out of any money in the State Treasury to the  
80 credit of the proper fund or funds as set forth in this act, upon  
81 warrants issued by the State Fiscal Officer; and the State Fiscal  
82 Officer shall issue his warrants upon requisitions signed by the  
83 proper person, officer or officers in the manner provided by law.

84           **SECTION 6.** This act shall take effect and be in force from  
85 and after July 1, 2006.