

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

To: Appropriations

SENATE BILL NO. 3057
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR
3 FISCAL YEAR 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 Treasury to the credit of the Mississippi Workers' Compensation
8 Commission, for the purpose of defraying the expenses incurred by
9 said commission for the fiscal year beginning July 1, 2006, and
10 ending June 30, 2007..... \$ 5,927,134.00.

11 SECTION 2. Of the funds appropriated under the provisions of
12 Section 1, not more than the amounts set forth below shall be
13 expended for the respective major objects or purposes of
14 expenditure:

15 MAJOR OBJECTS OF EXPENDITURE:

16	Personal Services:	
17	Salaries, Wages and Fringe Benefits..	\$ 4,197,345.00
18	Travel and Subsistence.....	165,000.00
19	Contractual Services.....	994,989.00
20	Commodities.....	83,800.00
21	Capital Outlay:	
22	Other Than Equipment.....	0.00
23	Equipment.....	31,000.00
24	Subsidies, Loans and Grants.....	<u>455,000.00</u>
25	Total.....	\$ 5,927,134.00

26 AUTHORIZED POSITIONS:

27 Permanent: Full Time..... 71

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

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

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

59 Any transfers or escalations shall be made in accordance with
60 the terms, conditions and procedures established by law or

61 allowable under the terms set forth within this act. The State
62 Personnel Board shall not escalate positions without written
63 approval from the Department of Finance and Administration. The
64 Department of Finance and Administration shall not provide written
65 approval to escalate any funds for salaries and/or positions
66 without proof of availability of new or additional funds above the
67 appropriated level.

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

72 **SECTION 3.** It is the intention of the Legislature that with
73 the funds appropriated in Section 1 and authorized for expenditure
74 in Section 2, the Mississippi Workers' Compensation Commission
75 shall enter into a contract with the industrial private sector for
76 the purpose of implementing a safety education and training
77 program.

78 **SECTION 4.** With the funds provided herein, it is the intent
79 of the Legislature that the Workers' Compensation Commission may
80 transfer a sum or sums not to exceed Two Hundred Thousand Dollars
81 (\$200,000.00) from the Administrative Expense Fund to the Second
82 Injury Fund.

83 **SECTION 5.** With the funds provided herein, it is the intent
84 of the Legislature that the Workers' Compensation Commission may
85 transfer a sum or sums not to exceed One Hundred Fifty Thousand
86 Dollars (\$150,000.00) from the Administrative Expense Fund to the
87 Insurance Integrity Enforcement Bureau within the Office of the
88 Attorney General.

89 **SECTION 6.** It is the intention of the Legislature that the
90 Mississippi Workers' Compensation Commission shall have the
91 authority to reallocate PIN 42, Administrative Assistant II, to
92 Workers' Compensation Medical Cost Containment Director. The

93 salary level of this position shall be determined in accordance
94 with the Rules and Regulations of the State Personnel Board.

95 **SECTION 7.** With the funds provided herein, it is the intent
96 of the legislature that the Workers' Compensation Commission may
97 transfer a sum not to exceed Three Hundred Thousand Dollars
98 (\$300,000.00) from the Administrative Expense Fund to the Bureau
99 of Building, Grounds and Real Property Management. These funds
100 will be used for the purpose of defraying the costs for repair,
101 renovation and expenses related to the usage of the Workers'
102 Compensation Office Building.

103 **SECTION 8.** It is the intention of the Legislature that
104 whenever two (2) or more bids are received by this agency for the
105 purchase of commodities or equipment, and whenever all things
106 stated in such received bids are equal with respect to price,
107 quality and service, the Mississippi Industries for the Blind
108 shall be given preference. A similar preference shall be given to
109 the Mississippi Industries for the Blind whenever purchases are
110 made without competitive bids.

111 **SECTION 9.** The money herein appropriated shall be paid by
112 the State Treasurer out of any money in the State Treasury to the
113 credit of the proper fund or funds as set forth in this act, upon
114 warrants issued by the State Fiscal Officer; and the State Fiscal
115 Officer shall issue his warrants upon requisitions signed by the
116 proper person, officer or officers, in the manner provided by law.

117 **SECTION 10.** This act shall take effect and be in force from
118 and after July 1, 2006.