

**House Amendments to Senate Bill No. 3012**

**TO THE SECRETARY OF THE SENATE:**

**THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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 ..... \$           574,256.00.

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 ..... \$           2,401,161.00.

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.. \$       1,755,740.00  
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.....	\$ 2,975,417.00

33 FUNDING:

34	General Funds.....	\$ 574,256.00
35	Special Funds.....	<u>2,401,161.00</u>
36	Total.....	\$ 2,975,417.00

37 AUTHORIZED POSITIONS:

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

42 For the fiscal year beginning on July 1, 2006, funds are  
43 provided herein to adjust the annual compensation of each employee  
44 who has been employed for twelve (12) months or longer by an  
45 amount equal to One Thousand Dollars (\$1,000.00), effective on  
46 July 1, 2006.

47 With the funds herein appropriated, it is the intention of  
48 the Legislature that it shall be the agency's responsibility to  
49 make certain that funds required to be appropriated for "Personal  
50 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
51 funds appropriated for that purpose, unless programs or positions  
52 are added to the agency's Fiscal Year 2008 budget by the  
53 Mississippi Legislature. Based on data provided by the  
54 Legislative Budget Office, the State Personnel Board shall  
55 determine and publish the projected annual cost to fully fund all  
56 appropriated positions in compliance with the provisions of this  
57 act. It shall be the responsibility of the agency head to insure  
58 that no single personnel action increases this projected annual  
59 cost and/or the Fiscal Year 2007 appropriation for "Personal  
60 Services" when annualized, with the exception of escalated funds.  
61 If, at the time the agency takes any action to change "Personal  
62 Services," the State Personnel Board determines that the agency  
63 has taken an action which would cause the agency to exceed this  
64 projected annual cost or the Fiscal Year 2007 "Personal Services"

65 appropriated level, when annualized, then only those actions which  
66 reduce the projected annual cost and/or the appropriation  
67 requirement will be processed by the State Personnel Board until  
68 such time as the requirements of this provision are met.

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

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

82 **SECTION 4.** In addition to all other sums herein  
83 appropriated, the following sum, or so much thereof as may be  
84 necessary, is hereby appropriated out of any money in the State  
85 Treasury to the credit of the Education Improvement Trust Fund No.  
86 3219 for the purpose of investing funds for the fiscal year  
87 beginning July 1, 2006, and ending June 30, 2007.....  
88 ..... \$ 125,000.00.

89 **SECTION 5.** The following sum, or so much thereof as may be  
90 necessary, is hereby appropriated out of any money in the State  
91 Treasury to the credit of the Mississippi Prepaid Affordable  
92 College Tuition Administrative Fund to defray the costs of the  
93 Mississippi Prepaid Affordable College Tuition Program for the  
94 fiscal year beginning July 1, 2006, and ending June 30, 2007.....  
95 ..... \$ 1,266,701.00.

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

100 MAJOR OBJECTS OF EXPENDITURE:

101 Personal Services:

102	Salaries, Wages and Fringe Benefits..	\$	148,276.00
103	Travel and Subsistence.....		14,987.00
104	Contractual Services.....		1,065,306.00
105	Commodities.....		34,932.00
106	Capital Outlay:		
107	Other Than Equipment.....		0.00
108	Equipment.....		3,200.00
109	Subsidies, Loans and Grants.....		<u>0.00</u>
110	Total.....	\$	1,266,701.00

111 AUTHORIZED POSITIONS:

112	Permanent:	Full Time.....	4
113		Part Time.....	0
114	Time-Limited:	Full Time.....	0
115		Part Time.....	0

116 For the fiscal year beginning on July 1, 2006, funds are  
117 provided herein to adjust the annual compensation of each employee  
118 who has been employed for twelve (12) months or longer by an  
119 amount equal to One Thousand Dollars (\$1,000.00), effective on  
120 July 1, 2006.

121 With the funds herein appropriated, it is the intention of  
122 the Legislature that it shall be the agency's responsibility to  
123 make certain that funds required to be appropriated for "Personal  
124 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
125 funds appropriated for that purpose, unless programs or positions  
126 are added to the agency's Fiscal Year 2008 budget by the  
127 Mississippi Legislature. Based on data provided by the  
128 Legislative Budget Office, the State Personnel Board shall  
129 determine and publish the projected annual cost to fully fund all  
130 appropriated positions in compliance with the provisions of this  
131 act. It shall be the responsibility of the agency head to insure  
132 that no single personnel action increases this projected annual  
133 cost and/or the Fiscal Year 2007 appropriation for "Personal  
134 Services" when annualized, with the exception of escalated funds.

135 If, at the time the agency takes any action to change "Personal  
136 Services," the State Personnel Board determines that the agency  
137 has taken an action which would cause the agency to exceed this  
138 projected annual cost or the Fiscal Year 2007 "Personal Services"  
139 appropriated level, when annualized, then only those actions which  
140 reduce the projected annual cost and/or the appropriation  
141 requirement will be processed by the State Personnel Board until  
142 such time as the requirements of this provision are met.

143 Any transfers or escalations shall be made in accordance with  
144 the terms, conditions and procedures established by law or  
145 allowable under the terms set forth within this act. The State  
146 Personnel Board shall not escalate positions without written  
147 approval from the Department of Finance and Administration. The  
148 Department of Finance and Administration shall not provide written  
149 approval to escalate any funds for salaries and/or positions  
150 without proof of availability of new or additional funds above the  
151 appropriated level.

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

156 **SECTION 7.** The following sum, or so much thereof as may be  
157 necessary, is hereby appropriated out of any money in the State  
158 Treasury to the credit of the Mississippi Prepaid Affordable  
159 College Tuition Trust Fund for the purpose of paying all amounts  
160 due for prepaid tuition contracts of the Mississippi Prepaid  
161 Affordable College Tuition Program, for the fiscal year beginning  
162 July 1, 2006, and ending June 30, 2007..... \$ 18,000,000.00.

163 It is the intention of the Legislature that the State  
164 Treasurer is hereby authorized to accept, budget and expend an  
165 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
166 funds authorized for the Mississippi Prepaid Affordable College  
167 Tuition Program, for paying amounts due for prepaid tuition  
168 contracts of the Mississippi Prepaid Affordable College Tuition  
169 Program. Such funds shall be escalated in accordance with the



205 Part Time..... 0

206 For the fiscal year beginning on July 1, 2006, funds are  
207 provided herein to adjust the annual compensation of each employee  
208 who has been employed for twelve (12) months or longer by an  
209 amount equal to One Thousand Dollars (\$1,000.00), effective on  
210 July 1, 2006.

211 With the funds herein appropriated, it is the intention of  
212 the Legislature that it shall be the agency's responsibility to  
213 make certain that funds required to be appropriated for "Personal  
214 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
215 funds appropriated for that purpose, unless programs or positions  
216 are added to the agency's Fiscal Year 2008 budget by the  
217 Mississippi Legislature. Based on data provided by the  
218 Legislative Budget Office, the State Personnel Board shall  
219 determine and publish the projected annual cost to fully fund all  
220 appropriated positions in compliance with the provisions of this  
221 act. It shall be the responsibility of the agency head to insure  
222 that no single personnel action increases this projected annual  
223 cost and/or the Fiscal Year 2007 appropriation for "Personal  
224 Services" when annualized, with the exception of escalated funds.  
225 If, at the time the agency takes any action to change "Personal  
226 Services," the State Personnel Board determines that the agency  
227 has taken an action which would cause the agency to exceed this  
228 projected annual cost or the Fiscal Year 2007 "Personal Services"  
229 appropriated level, when annualized, then only those actions which  
230 reduce the projected annual cost and/or the appropriation  
231 requirement will be processed by the State Personnel Board until  
232 such time as the requirements of this provision are met.

233 Any transfers or escalations shall be made in accordance with  
234 the terms, conditions and procedures established by law or  
235 allowable under the terms set forth within this act. The State  
236 Personnel Board shall not escalate positions without written  
237 approval from the Department of Finance and Administration. The  
238 Department of Finance and Administration shall not provide written  
239 approval to escalate any funds for salaries and/or positions

240 without proof of availability of new or additional funds above the  
241 appropriated level.

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

246 **SECTION 11.** The following sum, or so much thereof as may be  
247 necessary, is hereby appropriated out of any money in the State  
248 Treasury to the credit of the Mississippi Affordable College  
249 Savings Administrative Fund to defray the costs of the Mississippi  
250 Affordable College Savings Program for the fiscal year beginning  
251 July 1, 2006, and ending June 30, 2007..... \$ 173,457.00.

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

256 MAJOR OBJECTS OF EXPENDITURE:

257 Personal Services:

258	Salaries, Wages and Fringe Benefits..	\$	98,337.00
259	Travel and Subsistence.....		13,592.00
260	Contractual Services.....		57,663.00
261	Commodities.....		3,865.00

262 Capital Outlay:

263	Other Than Equipment.....		0.00
264	Equipment.....		0.00
265	Subsidies, Loans and Grants.....		0.00
266	Total.....	\$	173,457.00

267 AUTHORIZED POSITIONS:

268	Permanent:	Full Time.....	2
269		Part Time.....	0
270	Time-Limited:	Full Time.....	0
271		Part Time.....	0

272 For the fiscal year beginning on July 1, 2006, funds are  
273 provided herein to adjust the annual compensation of each employee  
274 who has been employed for twelve (12) months or longer by an



275 amount equal to One Thousand Dollars (\$1,000.00), effective on  
276 July 1, 2006.

277         With the funds herein appropriated, it is the intention of  
278 the Legislature that it shall be the agency's responsibility to  
279 make certain that funds required to be appropriated for "Personal  
280 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
281 funds appropriated for that purpose, unless programs or positions  
282 are added to the agency's Fiscal Year 2008 budget by the  
283 Mississippi Legislature. Based on data provided by the  
284 Legislative Budget Office, the State Personnel Board shall  
285 determine and publish the projected annual cost to fully fund all  
286 appropriated positions in compliance with the provisions of this  
287 act. It shall be the responsibility of the agency head to insure  
288 that no single personnel action increases this projected annual  
289 cost and/or the Fiscal Year 2007 appropriation for "Personal  
290 Services" when annualized, with the exception of escalated funds.  
291 If, at the time the agency takes any action to change "Personal  
292 Services," the State Personnel Board determines that the agency  
293 has taken an action which would cause the agency to exceed this  
294 projected annual cost or the Fiscal Year 2007 "Personal Services"  
295 appropriated level, when annualized, then only those actions which  
296 reduce the projected annual cost and/or the appropriation  
297 requirement will be processed by the State Personnel Board until  
298 such time as the requirements of this provision are met.

299         Any transfers or escalations shall be made in accordance with  
300 the terms, conditions and procedures established by law or  
301 allowable under the terms set forth within this act. The State  
302 Personnel Board shall not escalate positions without written  
303 approval from the Department of Finance and Administration. The  
304 Department of Finance and Administration shall not provide written  
305 approval to escalate any funds for salaries and/or positions  
306 without proof of availability of new or additional funds above the  
307 appropriated level.

308         No general funds authorized to be expended herein shall be  
309 used to replace federal funds and/or other special funds which are

310 being used for salaries authorized under the provisions of this  
311 act and which are withdrawn and no longer available.

312       **SECTION 13.** No part of the funds appropriated herein shall  
313 be used in the payment of attorney's fees, nor shall any of said  
314 funds be used either directly or indirectly, for the purpose of  
315 paying any clerk, stenographer, assistant, deputy or other person  
316 who may be related by blood or marriage within the third degree,  
317 computed by the rules of the civil law, to the official employing  
318 or having the right of employment or selection thereof; and in the  
319 event of any such payment, then the official or person approving  
320 and making or receiving such payment shall be jointly and  
321 severally liable to return to the State of Mississippi and to pay  
322 into the State Treasury three (3) times any such amount so paid or  
323 received, to be recovered at suit of the Attorney General;  
324 provided that when the relationship is by affinity and the person  
325 through whom the relationship was established is dead, this  
326 provision shall not apply.

327       **SECTION 14.** It is the intention of the Legislature that the  
328 Office of the State Treasurer shall maintain complete accounting  
329 and personnel records related to the expenditure of all funds  
330 appropriated under the provisions of this act and that such  
331 records shall be in the same format and level of details as  
332 maintained for Fiscal Year 2006. It is further the intention of  
333 the Legislature that the budget request for Fiscal Year 2008 shall  
334 be submitted to the Joint Legislative Budget Committee in a format  
335 and level of detail comparable to the format and level of detail  
336 provided during the Fiscal Year 2007 budget request process.

337       **SECTION 15.** It is the intention of the Legislature that the  
338 State Treasurer's Office may authorize increases in major objects  
339 of expenditure in total amounts not to exceed fifteen percent  
340 (15%) of the appropriated amount of each major object of  
341 expenditure, provided that other major objects of expenditure are  
342 decreased by a corresponding dollar amount. However, no transfers  
343 shall be authorized which increase the major object of expenditure  
344 "Salaries, Wages and Fringe Benefits."

345           **SECTION 16.** It is the intention of the Legislature that  
346 whenever two (2) or more bids are received by this agency for the  
347 purchase of commodities or equipment, and whenever all things  
348 stated in such received bids are equal with respect to price,  
349 quality and service, the Mississippi Industries for the Blind  
350 shall be given preference. A similar preference shall be given to  
351 the Mississippi Industries for the Blind whenever purchases are  
352 made without competitive bids.

353           **SECTION 17.** None of the funds appropriated by this act shall  
354 be used to pay any of the expenses of initiating or maintaining a  
355 lawsuit by the State of Mississippi against the Partnership for a  
356 Healthy Mississippi.

357           **SECTION 18.** The money herein appropriated shall be paid by  
358 the State Treasurer out of any money in the State Treasury to the  
359 credit of the proper fund or funds as set forth in this act, upon  
360 warrants issued by the State Fiscal Officer; and the State Fiscal  
361 Officer shall issue his warrants upon requisitions signed by the  
362 proper person, officer or officers in the manner provided by law.

363           **SECTION 19.** This act shall take effect and be in force from  
364 and after July 1, 2006.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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

HR40\SB3012PH.J

Don Richardson  
Clerk of the House of Representatives