

By: Representatives Read, Martinson,
Broomfield, Brown, Davis, Denny, Huddleston,
Middleton, Miles, Weathersby

To: Appropriations

HOUSE BILL NO. 1650
(As Sent to Governor)

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF
3 COSMETOLOGY FOR THE FISCAL YEAR 2008.

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 State Board of Cosmetology, for the
8 purpose of defraying the expenses of the board for the fiscal year
9 beginning July 1, 2007, and ending June 30, 2008.....
10 \$ 831,574.00.

11 SECTION 2. Of the funds approved for expenditure under the
12 provisions of Section 1, not more than the amounts set forth below
13 shall be 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.. \$ 460,593.00
18 Travel and Subsistence..... 129,362.00
19 Contractual Services..... 216,912.00
20 Commodities..... 18,207.00

21 Capital Outlay:

22 Other Than Equipment..... 0.00
23 Equipment..... 6,500.00
24 Vehicles..... 0.00
25 Wireless Communication Devices..... 0.00
26 Subsidies, Loans and Grants..... 0.00
27 Total..... \$ 831,574.00

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time.....	12
30		Part Time.....	0
31	Time-Limited:	Full Time.....	0
32		Part Time.....	0

33 Funds are provided herein to adjust the Variable Compensation
34 Plan to ensure that all full-time employees receive a pay increase
35 equal to the realignment component of the Variable Compensation
36 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
37 is greater, to be awarded on July 1, 2007.

38 With the funds herein appropriated, it is the intention of
39 the Legislature that it shall be the agency's responsibility to
40 make certain that funds required to be appropriated for "Personal
41 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
42 funds appropriated for that purpose, unless programs or positions
43 are added to the agency's Fiscal Year 2008 budget by the
44 Mississippi Legislature. Based on data provided by the
45 Legislative Budget Office, the State Personnel Board shall
46 determine and publish the projected annual cost to fully fund all
47 appropriated positions in compliance with the provisions of this
48 act. It shall be the responsibility of the agency head to insure
49 that no single personnel action increases this projected annual
50 cost and/or the Fiscal Year 2008 appropriations for "Personal
51 Services" when annualized, with the exception of escalated funds
52 and educational benchmarks. If, at the time the agency takes any
53 action to change "Personal Services", the State Personnel Board
54 determines that the agency has taken an action which would cause
55 the agency to exceed this projected annual cost or the Fiscal Year
56 2008 "Personal Services" appropriated level, when annualized, then
57 only those actions which reduce the projected annual cost and/or
58 the appropriation requirement will be processed by the State
59 Personnel Board until such time as the requirements of this
60 provision are met. On January 1, 2008, the State Personnel Board

61 will make adjustments to the structure side of the compliance
62 report based on data provided by the Legislative Budget Office in
63 order for agencies to award educational benchmarks.

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

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

77 **SECTION 3.** If not needed for other purposes, the State
78 Treasurer shall invest any part of or all monies herein approved
79 and any surplus funds of the State Board of Cosmetology for a
80 period of ninety (90) days or more at the highest rate of interest
81 obtainable and credit such to this respective fund. Monies shall
82 be invested by the Treasurer in any short-term bonds, notes or
83 other direct obligations of the United States of America or the
84 State of Mississippi or any county or municipality of this state,
85 which county or municipal bonds have been approved by a reputable
86 bond attorney or have been validated by a decree of the court, or
87 in savings accounts or certificates of deposit of a state or
88 national bank in the State of Mississippi, or in federally insured
89 savings and loan associations in the State of Mississippi; and in
90 any event, the bonds, notes or obligations in which such funds are
91 invested shall mature or be redeemable prior to the time the funds
92 so invested will be needed for the purposes herein provided.

93 **SECTION 4.** It is the intent of this legislation to provide
94 the funds for the board to meet when necessary, but under no
95 circumstances shall it meet more than sixty-two (62) days a year.

96 **SECTION 5.** It is the intention of the Legislature that the
97 State Board of Cosmetology shall maintain complete accounting and
98 personnel records related to the expenditure of all funds
99 appropriated under this act and that such records shall be in the
100 same format and level of detail as maintained for Fiscal Year
101 2007. It is further the intention of the Legislature that the
102 agency's budget request for Fiscal Year 2009 shall be submitted to
103 the Joint Legislative Budget Committee in a format and level of
104 detail comparable to the format and level of detail provided
105 during the Fiscal Year 2008 budget request process.

106 **SECTION 6.** It is the intention of the Legislature that
107 whenever two (2) or more bids are received by this agency for the
108 purchase of commodities or equipment, and whenever all things
109 stated in such received bids are equal with respect to price,
110 quality and service, the Mississippi Industries for the Blind
111 shall be given preference. A similar preference shall be given to
112 the Mississippi Industries for the Blind whenever purchases are
113 made without competitive bids.

114 **SECTION 7.** The money herein appropriated shall be paid by
115 the State Treasurer out of any money in the State Treasury to the
116 credit of the proper fund or funds as set forth in this act, upon
117 warrants issued by the State Fiscal Officer; and the State Fiscal
118 Officer shall issue his warrants upon requisitions signed by the
119 proper person, officer or officers, in the manner provided by law.

120 **SECTION 8.** This act shall take effect and be in force from
121 and after July 1, 2007.