

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

To: Appropriations

HOUSE BILL NO. 1654

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE
3 EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'
4 RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE
5 RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2008.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is hereby appropriated out of any money in the State
9 Treasury to the credit of the Administrative Expense Account of
10 the Public Employees' Retirement System for the purpose of
11 defraying the administrative expenses of the Board of Trustees of
12 the Public Employees' Retirement System, or out of any money in
13 the State Treasury to the credit of the Retirement System Building
14 Account of the Public Employees' Retirement System for the purpose
15 of maintenance and general operation of the Retirement System
16 Building, for the fiscal year beginning July 1, 2007, and ending
17 June 30, 2008..... \$ 11,460,285.00.

18 **SECTION 2.** Of the funds appropriated under the provisions of
19 Section 1, not more than the amounts set forth below shall be
20 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.. \$ 8,048,985.00
25 Travel and Subsistence..... 75,000.00
26 Contractual Services..... 2,959,000.00
27 Commodities..... 300,000.00

28 Capital Outlay:

29	Other Than Equipment.....	0.00
30	Equipment.....	77,300.00
31	Vehicles.....	0.00
32	Wireless Communication Devices.....	0.00
33	Subsidies, Loans and Grants.....	<u>0.00</u>
34	Total.....	\$ 11,460,285.00

35 AUTHORIZED POSITIONS:

36	Permanent: Full Time.....	149
37	Part Time.....	1
38	Time-Limited: Full Time.....	0
39	Part Time.....	0

40 Funds are provided herein to adjust the Variable Compensation
41 Plan to ensure that all full-time employees receive a pay increase
42 equal to the realignment component of the Variable Compensation
43 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
44 is greater.

45 With the funds herein appropriated, it is the intention of
46 the Legislature that it shall be the agency's responsibility to
47 make certain that funds required to be appropriated for "Personal
48 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
49 funds appropriated for that purpose, unless programs or positions
50 are added to the agency's Fiscal Year 2009 budget by the
51 Mississippi Legislature. Based on data provided by the
52 Legislative Budget Office, the State Personnel Board shall
53 determine and publish the projected annual cost to fully fund all
54 appropriated positions in compliance with the provisions of this
55 act. It shall be the responsibility of the agency head to insure
56 that no single personnel action increases this projected annual
57 cost and/or the Fiscal Year 2008 appropriation for "Personal
58 Services" when annualized, with the exception of escalated funds.
59 If, at the time the agency takes any action to change "Personal
60 Services," the State Personnel Board determines that the agency
61 has taken an action which would cause the agency to exceed this

62 projected annual cost or the Fiscal Year 2008 "Personal Services"
63 appropriated level, when annualized, then only those actions which
64 reduce the projected annual cost and/or the appropriation
65 requirement will be processed by the State Personnel Board until
66 such time as the requirements of this provision are met.

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

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

80 **SECTION 3.** It is the intention of the Legislature that the
81 Board of Trustees of the Public Employees' Retirement System shall
82 maintain complete accounting and personnel records related to the
83 expenditure of all funds appropriated under this act and that such
84 records shall be in the same format and level of detail as
85 maintained for Fiscal Year 2007. It is further the intention of
86 the Legislature that the agency's budget request for Fiscal Year
87 2009 shall be submitted to the Joint Legislative Budget Committee
88 in a format and level of detail comparable to the format and level
89 of detail provided during the Fiscal Year 2008 budget request
90 process.

91 **SECTION 4.** In accordance with the purposes of this article,
92 there shall be established in the State Treasury the Public
93 Employees' Retirement System Building Repair and Maintenance Fund,
94 into which shall be deposited all funds collected as rental income

95 from the building owned by the system located at 301 North
96 President Street, Jackson, Mississippi. At the end of each fiscal
97 year, any and all unexpended funds shall be transferred to the
98 Administrative Budget Fund of the system.

99 It is the intention of the Legislature that the system have
100 the authority to escalate the Public Employees' Retirement System
101 Building Repair and Maintenance Fund in an amount not to exceed
102 Two Hundred Thousand Dollars (\$200,000.00) for repair and
103 maintenance of the buildings owned by the system. All
104 expenditures from the Public Employees' Retirement System Building
105 Repair and Maintenance Fund shall be in accordance with this
106 article and for the purposes designated herein.

107 **SECTION 5.** It is the intention of the Legislature that
108 whenever two (2) or more bids are received by this agency for the
109 purchase of commodities or equipment, and whenever all things
110 stated in such received bids are equal with respect to price,
111 quality and service, the Mississippi Industries for the Blind
112 shall be given preference. A similar preference shall be given to
113 the Mississippi Industries for the Blind whenever purchases are
114 made without competitive bids.

115 **SECTION 6.** It is the intention of the Legislature that the
116 Executive Director of the Public Employees' Retirement System may
117 increase major objects of expenditure in total amounts not to
118 exceed twenty-five percent (25%) of the appropriated amount of
119 each major object of expenditure, provided that other major
120 objects of expenditure are decreased by a corresponding dollar
121 amount and provided the Executive Director of the Mississippi
122 Department of Finance and Administration also approves with
123 written authorization. However, no transfers shall be authorized
124 which increase the major object of expenditure "Salaries, Wages
125 and Fringe Benefits."

126 **SECTION 7.** It is the intention of the Legislature that, with
127 the funds appropriated in Section 1, the Public Employees

128 Retirement System is authorized to implement, in compliance with
129 the rules and regulations of the State Personnel Board, the
130 actions recommended in the State Personnel Board PERS
131 Organizational Study.

132 **SECTION 8.** In addition to all other sums herein
133 appropriated, the following sum, or so much thereof as may be
134 necessary, is appropriated out of any money in the State Treasury
135 to the credit of the Administrative Expense Account of the Public
136 Employees' Retirement System, for the purpose of defraying those
137 expenses associated with consultant services regarding a
138 replacement computer system, for the fiscal year beginning July 1,
139 2007, and ending June 30, 2008..... \$ 480,458.00.

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

146 **SECTION 10.** This act shall take effect and be in force from
147 and after July 1, 2007.