

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

To: Appropriations

HOUSE BILL NO. 1654  
(As Sent to Governor)

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..... \$ 11,178,455.00.

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.. \$ 7,767,155.00  
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.....	\$ 11,178,455.00

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, to be awarded on July 1, 2007.

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 2008 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 appropriations for "Personal  
58 Services" when annualized, with the exception of escalated funds  
59 and educational benchmarks. If, at the time the agency takes any  
60 action to change "Personal Services", the State Personnel Board  
61 determines that the agency has taken an action which would cause

62 the agency to exceed this projected annual cost or the Fiscal Year  
63 2008 "Personal Services" appropriated level, when annualized, then  
64 only those actions which reduce the projected annual cost and/or  
65 the appropriation requirement will be processed by the State  
66 Personnel Board until such time as the requirements of this  
67 provision are met. On January 1, 2008, the State Personnel Board  
68 will make adjustments to the structure side of the compliance  
69 report based on data provided by the Legislative Budget Office in  
70 order for agencies to award educational benchmarks.

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

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83 act and which are withdrawn and no longer available.

84 **SECTION 3.** It is the intention of the Legislature that the  
85 Board of Trustees of the Public Employees' Retirement System shall  
86 maintain complete accounting and personnel records related to the  
87 expenditure of all funds appropriated under this act and that such  
88 records shall be in the same format and level of detail as  
89 maintained for Fiscal Year 2007. It is further the intention of  
90 the Legislature that the agency's budget request for Fiscal Year  
91 2009 shall be submitted to the Joint Legislative Budget Committee  
92 in a format and level of detail comparable to the format and level  
93 of detail provided during the Fiscal Year 2008 budget request  
94 process.

95           **SECTION 4.** In accordance with the purposes of this article,  
96 there shall be established in the State Treasury the Public  
97 Employees' Retirement System Building Repair and Maintenance Fund,  
98 into which shall be deposited all funds collected as rental income  
99 from the building owned by the system located at 301 North  
100 President Street, Jackson, Mississippi. At the end of each fiscal  
101 year, any and all unexpended funds shall be transferred to the  
102 Administrative Budget Fund of the system.

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

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

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

128 which increase the major object of expenditure "Salaries, Wages  
129 and Fringe Benefits."

130       **SECTION 7.** In addition to all other sums herein  
131 appropriated, the following sum, or so much thereof as may be  
132 necessary, is appropriated out of any money in the State Treasury  
133 to the credit of the Administrative Expense Account of the Public  
134 Employees' Retirement System, for the purpose of defraying those  
135 expenses associated with consultant services regarding a  
136 replacement computer system, for the fiscal year beginning July 1,  
137 2007, and ending June 30, 2008..... \$           480,458.00.

138       **SECTION 8.** The money herein appropriated shall be paid by  
139 the State Treasurer out of any money in the State Treasury to the  
140 credit of the proper fund or funds as set forth in this act, upon  
141 warrants issued by the State Fiscal Officer; and the State Fiscal  
142 Officer shall issue his warrants upon requisitions signed by the  
143 proper person, officer or officers, in the manner provided by law.

144       **SECTION 9.** This act shall take effect and be in force from  
145 and after July 1, 2007.