

By: Senator(s) Gordon, Little, Thames,
Chaney, Davis, Kirby, Williamson

To: Appropriations

SENATE BILL NO. 3120
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2008.

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

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, 2007, and ending June 30, 2008.....
9 \$ 637,515.00.

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, 2007, and ending June 30, 2008.....
17 \$ 2,599,090.00.

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..	\$	2,005,528.00
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.....	113,400.00	
31	Vehicles.....		0.00
32	Wireless Communication Devices.....		0.00
33	Subsidies, Loans and Grants.....		0.00
34	Total.....	\$ 3,236,605.00	

35 FUNDING:

36	General Funds.....	\$ 637,515.00	
37	Special Funds.....	2,599,090.00	
38	Total.....	\$ 3,236,605.00	

39 AUTHORIZED POSITIONS:

40	Permanent: Full Time.....	33
41	Part Time.....	0
42	Time-Limited: Full Time.....	0
43	Part Time.....	0

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

49 With the funds herein appropriated, it is the intention of
50 the Legislature that it shall be the agency's responsibility to
51 make certain that funds required to be appropriated for "Personal
52 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
53 funds appropriated for that purpose, unless programs or positions
54 are added to the agency's Fiscal Year 2008 budget by the
55 Mississippi Legislature. Based on data provided by the
56 Legislative Budget Office, the State Personnel Board shall
57 determine and publish the projected annual cost to fully fund all
58 appropriated positions in compliance with the provisions of this
59 act. It shall be the responsibility of the agency head to insure
60 that no single personnel action increases this projected annual

61 cost and/or the Fiscal Year 2008 appropriations for "Personal
62 Services" when annualized, with the exception of escalated funds
63 and educational benchmarks. If, at the time the agency takes any
64 action to change "Personal Services," the State Personnel Board
65 determines that the agency has taken an action which would cause
66 the agency to exceed this projected annual cost or the Fiscal Year
67 2008 "Personal Services" appropriated level, when annualized, then
68 only those actions which reduce the projected annual cost and/or
69 the appropriation requirement will be processed by the State
70 Personnel Board until such time as the requirements of this
71 provision are met. On January 1, 2008, the State Personnel Board
72 will make adjustments to the structure side of the compliance
73 report based on data provided by the Legislative Budget Office in
74 order for agencies to award educational benchmarks.

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

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

88 **SECTION 4.** In addition to all other sums herein
89 appropriated, 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 Education Improvement Trust Fund No.
92 3219 for the purpose of investing funds for the fiscal year
93 beginning July 1, 2007, and ending June 30, 2008.....

94 \$ 125,000.00.

95 **SECTION 5.** The following sum, or so much thereof as may be
96 necessary, is hereby appropriated out of any money in the State
97 Treasury to the credit of the Mississippi Prepaid Affordable
98 College Tuition Administrative Fund to defray the costs of the
99 Mississippi Prepaid Affordable College Tuition Program for the
100 fiscal year beginning July 1, 2007, and ending June 30, 2008.....

101 \$ 1,307,713.00.

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

106 MAJOR OBJECTS OF EXPENDITURE:

107 Personal Services:

108	Salaries, Wages and Fringe Benefits..	\$ 189,288.00
109	Travel and Subsistence.....	14,987.00
110	Contractual Services.....	1,065,306.00
111	Commodities.....	34,932.00

112 Capital Outlay:

113	Other Than Equipment.....	0.00
114	Equipment.....	3,200.00
115	Vehicles.....	0.00
116	Wireless Communication Devices.....	0.00
117	Subsidies, Loans and Grants.....	<u>0.00</u>
118	Total.....	\$ 1,307,713.00

119 AUTHORIZED POSITIONS:

120	Permanent: Full Time.....	4
121	Part Time.....	0
122	Time-Limited: Full Time.....	0
123	Part Time.....	0

124 **SECTION 7.** The following sum, or so much thereof as may be
125 necessary, is hereby appropriated out of any money in the State
126 Treasury to the credit of the Mississippi Prepaid Affordable

127 College Tuition Trust Fund for the purpose of paying all amounts
128 due for prepaid tuition contracts of the Mississippi Prepaid
129 Affordable College Tuition Program, for the fiscal year beginning
130 July 1, 2007, and ending June 30, 2008..... \$ 18,000,000.00.

131 It is the intention of the Legislature that the State
132 Treasurer is hereby authorized to accept, budget and expend an
133 amount not to exceed One Million Dollars (\$1,000,000.00) from any
134 funds authorized for the Mississippi Prepaid Affordable College
135 Tuition Program, for paying amounts due for prepaid tuition
136 contracts of the Mississippi Prepaid Affordable College Tuition
137 Program. Such funds shall be escalated in accordance with the
138 rules and regulations of the Department of Finance and
139 Administration in a manner consistent with the escalation of
140 federal funds.

141 **SECTION 8.** The following sum, or so much thereof as may be
142 necessary, is hereby appropriated out of any money in the State
143 General Fund not otherwise appropriated, to defray the expenses of
144 the Office of the State Treasurer-Health Care Trust Fund Board,
145 for the fiscal year beginning July 1, 2007, and ending
146 June 30, 2008..... \$ 43,028.00.

147 **SECTION 9.** The following sum, or so much thereof as may be
148 necessary, is hereby appropriated out of any money in the State
149 Treasury to the credit of the Health Care Expendable Fund, created
150 under House Bill No. 519, 1999 Regular Session, for the purpose of
151 defraying the expenses of the Office of the State Treasurer for
152 the fiscal year beginning July 1, 2007, and ending
153 June 30, 2008..... \$ 59,671.00.

154 **SECTION 10.** Of the funds appropriated under the provisions
155 of Sections 8 and 9, not more than the amounts set forth below
156 shall be expended for the respective major objects or purposes of
157 expenditure:

158 MAJOR OBJECTS OF EXPENDITURE:

159 Personal Services:

160	Salaries, Wages and Fringe Benefits..	\$	51,752.00
161	Travel and Subsistence.....		2,700.00
162	Contractual Services.....		46,247.00
163	Commodities.....		2,000.00
164	Capital Outlay:		
165	Other Than Equipment.....		0.00
166	Equipment.....		0.00
167	Vehicles.....		0.00
168	Wireless Communication Devices.....		0.00
169	Subsidies, Loans and Grants.....		0.00
170	Total.....	\$	102,699.00

171 AUTHORIZED POSITIONS:

172	Permanent:	Full Time.....	1
173		Part Time.....	0
174	Time-Limited:	Full Time.....	0
175		Part Time.....	0

176 **SECTION 11.** The following sum, or so much thereof as may be
177 necessary, is hereby appropriated out of any money in the State
178 Treasury to the credit of the Mississippi Affordable College
179 Savings Administrative Fund to defray the costs of the Mississippi
180 Affordable College Savings Program for the fiscal year beginning
181 July 1, 2007, and ending June 30, 2008..... \$ 181,237.00.

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

186 MAJOR OBJECTS OF EXPENDITURE:

187 Personal Services:

188	Salaries, Wages and Fringe Benefits..	\$	106,117.00
189	Travel and Subsistence.....		13,592.00
190	Contractual Services.....		57,663.00
191	Commodities.....		3,865.00

192 Capital Outlay:

193	Other Than Equipment.....	0.00
194	Equipment.....	0.00
195	Vehicles.....	0.00
196	Wireless Communication Devices.....	0.00
197	Subsidies, Loans and Grants.....	0.00
198	Total..... \$	181,237.00

199 AUTHORIZED POSITIONS:

200	Permanent: Full Time.....	2
201	Part Time.....	0
202	Time-Limited: Full Time.....	0
203	Part Time.....	0

204 **SECTION 13.** No part of the funds appropriated herein shall
205 be used in the payment of attorney's fees, nor shall any of said
206 funds be used either directly or indirectly, for the purpose of
207 paying any clerk, stenographer, assistant, deputy or other person
208 who may be related by blood or marriage within the third degree,
209 computed by the rules of the civil law, to the official employing
210 or having the right of employment or selection thereof; and in the
211 event of any such payment, then the official or person approving
212 and making or receiving such payment shall be jointly and
213 severally liable to return to the State of Mississippi and to pay
214 into the State Treasury three (3) times any such amount so paid or
215 received, to be recovered at suit of the Attorney General;
216 provided that when the relationship is by affinity and the person
217 through whom the relationship was established is dead, this
218 provision shall not apply.

219 **SECTION 14.** It is the intention of the Legislature that the
220 Office of the State Treasurer shall maintain complete accounting
221 and personnel records related to the expenditure of all funds
222 appropriated under the provisions of this act and that such
223 records shall be in the same format and level of details as
224 maintained for Fiscal Year 2007. It is further the intention of
225 the Legislature that the budget request for Fiscal Year 2009 shall

226 be submitted to the Joint Legislative Budget Committee in a format
227 and level of detail comparable to the format and level of detail
228 provided during the Fiscal Year 2008 budget request process.

229 **SECTION 15.** It is the intention of the Legislature that the
230 State Treasurer's Office may authorize increases in major objects
231 of expenditure in total amounts not to exceed fifteen percent
232 (15%) of the appropriated amount of each major object of
233 expenditure, provided that other major objects of expenditure are
234 decreased by a corresponding dollar amount. However, no transfers
235 shall be authorized which increase the major object of expenditure
236 "Salaries, Wages and Fringe Benefits."

237 **SECTION 16.** It is the intention of the Legislature that
238 whenever two (2) or more bids are received by this agency for the
239 purchase of commodities or equipment, and whenever all things
240 stated in such received bids are equal with respect to price,
241 quality and service, the Mississippi Industries for the Blind
242 shall be given preference. A similar preference shall be given to
243 the Mississippi Industries for the Blind whenever purchases are
244 made without competitive bids.

245 **SECTION 17.** The money herein appropriated shall be paid by
246 the State Treasurer out of any money in the State Treasury to the
247 credit of the proper fund or funds as set forth in this act, upon
248 warrants issued by the State Fiscal Officer; and the State Fiscal
249 Officer shall issue his warrants upon requisitions signed by the
250 proper person, officer or officers in the manner provided by law.

251 **SECTION 18.** This act shall take effect and be in force from
252 and after July 1, 2007.