

By: Senator(s) Gordon, Little, Kirby,
Cuevas, Flowers, Lee (35th), Turner

To: Appropriations

SENATE BILL NO. 3135
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2008.

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

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 Treasury to the credit of the State Personnel Board for the
7 support and maintenance of the State Personnel Board for the
8 fiscal year beginning July 1, 2007, and ending June 30, 2008.....
9 \$ 5,455,152.00.

10 SECTION 2. Of the funds appropriated under the provisions of
11 Section 1, not more than the amounts set forth below shall be
12 expended for the respective major objects or purposes of
13 expenditure:

14 MAJOR OBJECTS OF EXPENDITURE:

15 Personal Services:

16 Salaries, Wages and Fringe Benefits.. \$ 3,710,678.00
17 Travel and Subsistence..... 32,000.00
18 Contractual Services..... 1,537,424.00
19 Commodities..... 133,800.00

20 Capital Outlay:

21 Other Than Equipment..... 0.00
22 Equipment..... 41,250.00
23 Vehicles..... 0.00
24 Wireless Communication Devices..... 0.00
25 Subsidies, Loans and Grants..... 0.00
26 Total..... \$ 5,455,152.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	63
29		Part Time.....	2
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

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

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

61 report based on data provided by the Legislative Budget Office in
62 order for agencies to award educational benchmarks.

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

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

76 **SECTION 3.** The following sum, or so much thereof as may be
77 necessary, is hereby appropriated out of any money in the State
78 Treasury to the credit of the State Personnel Board Training Fund
79 account, for the purpose of defraying the expenses of the State
80 Personnel Board Training Seminars for the fiscal year beginning
81 July 1, 2007, and ending June 30, 2008..... \$ 382,454.00.

82 It is the intention of the Legislature that the State
83 Personnel Board Training Fund shall have the authority, should
84 additional funds become available, to escalate and expend those
85 funds in accordance with the rules and regulations of the
86 Department of Finance and Administration, in a manner consistent
87 with the escalation of federal funds.

88 The funds authorized under the provisions of this section
89 shall be held separate and apart from all other funds in the State
90 Treasury to the credit of the State Personnel Board.

91 **SECTION 4.** Of the funds appropriated under the provisions of
92 Section 3, not more than the amounts set forth below shall be

93 expended for the respective major objects or purposes of
94 expenditure:

95 MAJOR OBJECTS OF EXPENDITURE:

96 Personal Services:

97 Salaries, Wages and Fringe Benefits.. \$ 0.00

98 Travel and Subsistence..... 12,000.00

99 Contractual Services..... 317,661.00

100 Commodities..... 46,793.00

101 Capital Outlay:

102 Other Than Equipment..... 0.00

103 Equipment..... 6,000.00

104 Vehicles..... 0.00

105 Wireless Communication Devices..... 0.00

106 Subsidies, Loans and Grants..... 0.00

107 Total..... \$ 382,454.00

108 **SECTION 5.** It is the intention of the Legislature that the
109 State Personnel Board shall have the authority to escalate and
110 expend funds received from state agencies for reimbursement of
111 costs associated with the hiring of court reporters used in the
112 Employee Appeals Process. Such funds shall be received and
113 expended under the rules and regulations of the Department of
114 Finance and Administration in a manner consistent with the
115 escalation of federal funds.

116 **SECTION 6.** It is the intention of the Legislature that the
117 State Personnel Board shall maintain complete accounting and
118 personnel records related to the expenditure of all funds
119 appropriated under this act and that such records shall be in the
120 same format and level of detail as maintained for Fiscal Year
121 2007. It is further the intention of the Legislature that the
122 agency's budget request for Fiscal Year 2009 shall be submitted to
123 the Joint Legislative Budget Committee in a format and level of
124 detail comparable to the format and level of detail provided
125 during the Fiscal Year 2008 budget request process.

126 **SECTION 7.** It is the intention of the Legislature that
127 whenever two (2) or more bids are received by this agency for the
128 purchase of commodities or equipment, and whenever all things
129 stated in such received bids are equal with respect to price,
130 quality and service, the Mississippi Industries for the Blind
131 shall be given preference. A similar preference shall be given to
132 the Mississippi Industries for the Blind whenever purchases are
133 made without competitive bids.

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

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