By: Senator(s) Gordon, Little, Gollott, Kirby, Moffatt, Thames

To: Appropriations

SENATE BILL NO. 3162

1   AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2   STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE
3   BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2008.

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

5   **SECTION 1.** The following sum of money, or so much thereof as

6   may be necessary, is hereby appropriated out of any money in the

7   State Treasury to the credit of the Mississippi State Board of

8   Public Contractors, for the purpose of defraying the expenses of

9   said board, for the fiscal year beginning July 1, 2007, and ending

10 June 30, 2008................................ $ 1,856,737.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of

12 Section 1, not more than the amounts set forth below shall be

13 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.. $ 608,841.00

18   Travel and Subsistence................   79,900.00

19   Contractual Services......................   253,996.00

20   Commodities...............................   45,550.00

21   Capital Outlay:

22   Other Than Equipment..................   0.00

23   Equipment.............................   18,450.00

24   Vehicles..............................   0.00

25   Wireless Communication Devices........   0.00

26   Subsidies, Loans and Grants...............   850,000.00

27   Total................................. $ 1,856,737.00

28   AUTHORIZED POSITIONS:

29   Permanent: Full Time.............   13

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 Dollars ($1,000.00), or Three Percent (3%)

37   whichever 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 2009 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 appropriation for "Personal

51   Services" when annualized, with the exception of escalated funds.

52   If, at the time the agency takes any action to change "Personal

53   Services," the State Personnel Board determines that the agency

54   has taken an action which would cause the agency to exceed this

55   projected annual cost or the Fiscal Year 2008 "Personal Services"

56   appropriated level, when annualized, then only those actions which

57   reduce the projected annual cost and/or the appropriation

58   requirement will be processed by the State Personnel Board until

59   such time as the requirements of this provision are met.

60   Any transfers or escalations shall be made in accordance with
61   the terms, conditions and procedures established by law or
62   allowable under the terms set forth within this act. The State
63   Personnel Board shall not escalate positions without written
64   approval from the Department of Finance and Administration. The
65   Department of Finance and Administration shall not provide written
66   approval to escalate any funds for salaries and/or positions
67   without proof of availability of new or additional funds above the
68   appropriated level.
69   No general funds authorized to be expended herein shall be
70   used to replace federal funds and/or other special funds which are
71   being used for salaries authorized under the provisions of this
72   act and which are withdrawn and no longer available.
73   The agency shall not take any action to promote or otherwise
74   award salary increases through reallocation, reclassification,
75   realignment, education benchmark, career ladder, or any other
76   means to increase salaries of employees or positions unless
77   specifically exempted by the following conditions: the award of
78   teacher pay increases, the advancement of a trainee/cadet to the
79   next level of a bona fide career ladder, the award of an
80   educational benchmark for the attainment of Certified Public
81   Accountant License or higher level professional certification as
82   determined by the State Personnel Board, the immediate replacement
83   of a departing employee with an individual from within state
84   service or a new hire at a salary level equivalent to that of the
85   departing employee, and the emergency appointment of nurses,
86   pharmacists or other health care professionals at a salary to be
87   determined by the State Personnel Board, unless otherwise
88   authorized in this act.
89   **SECTION 3.** It is the intention of the Legislature that
90   whenever two (2) or more bids are received by this agency for the
91   purchase of commodities or equipment, and whenever all things
92   stated in such received bids are equal with respect to price,

93 quality and service, the Mississippi Industries for the Blind

94 shall be given preference. A similar preference shall be given to

95 the Mississippi Industries for the Blind whenever purchases are

96 made without competitive bids.

97   **SECTION 4.** The money herein appropriated shall be paid by

98 the State Treasurer out of any money in the State Treasury to the

99 credit of the proper fund or funds as set forth in this act, upon

100 warrants issued by the State Fiscal Officer; and the State Fiscal

101 Officer shall issue his warrants upon requisitions signed by the

102 proper person, officer or officers in the manner provided by law.

103   **SECTION 5.** This act shall take effect and be in force from

104 and after July 1, 2007.