

By: Senator(s) Clarke

To: Appropriations

SENATE BILL NO. 2773
(As Sent to Governor)

1 AN ACT TO PROVIDE FOR CERTAIN TRANSFERS TO THE CAPITAL
2 EXPENSE FUND DURING FISCAL YEAR 2018; TO TRANSFER BUDGET
3 CONTINGENCY FUNDS TO THE CLEVELAND CLINIC; TO TRANSFER CAPITAL
4 EXPENSE FUNDS TO THE GREENVILLE AIRPORT, AIR SERVICE DEVELOPMENT
5 ACT AND THE DEPARTMENT OF REVENUE; TO REPEAL SECTION 22, CHAPTER
6 99, LAWS OF 2017, WHICH PROVIDES FOR THE FUNDING OF A CERTAIN
7 NUMBER OF HOME- AND COMMUNITY-BASED WAIVER SLOTS BY THE STATE
8 DEPARTMENT OF MENTAL HEALTH; TO AMEND SECTION 37, CHAPTER 102,
9 LAWS OF 2017, TO INCREASE THE MAXIMUM AMOUNT OF GENERAL FUNDS
10 APPROPRIATED TO THE STATE DEPARTMENT OF EDUCATION THAT SHALL BE
11 USED FOR THE SCHOOL RECOGNITION PROGRAM; TO AMEND SECTION 37,
12 CHAPTER 102, LAWS OF 2017, TO INCREASE THE NUMBER OF PERMANENT
13 TIME-LIMITED POSITIONS FOR THE STATE DEPARTMENT OF EDUCATION THAT
14 SHALL BE USED FOR VOCATIONAL TECHNICAL EDUCATION; TO AMEND SECTION
15 13, CHAPTER 64, LAWS OF 2017, WHICH AUTHORIZES THE COMMISSIONER OF
16 THE DEPARTMENT OF CORRECTIONS TO TRANSFER SPENDING AUTHORITY
17 BETWEEN AND WITHIN BUDGETS, TO DELETE THE PROHIBITION ON TRANSFERS
18 THAT INCREASE THE MAJOR OBJECT OF EXPENDITURE FOR SALARIES; TO
19 AMEND SECTION 3, CHAPTER 1, LAWS OF 2017, WHICH TRANSFERS CERTAIN
20 AMOUNTS IN THE FISCAL YEAR 2018 APPROPRIATION TO THE DEPARTMENT OF
21 PUBLIC SAFETY AMONG VARIOUS CATEGORIES; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** During Fiscal Year 2018, the State Fiscal Officer
24 shall transfer to the Capital Expense Fund out of the following
25 enumerated funds, the amounts listed below from each fund:

26 FUND	FUND NUMBER	AMOUNT
27 Unclaimed Property Fund	3317800000	\$17,911,475.00



28	Department of Revenue	3376900000	\$ 7,400,000.00
29	Hurricane Disaster Reserve Fund	667SS00000	\$ <u>18,850.00</u>
30	TOTAL		\$25,330,325.00

31 **SECTION 2.** During Fiscal Year 2019, the State Fiscal Officer
32 shall transfer One Million Five Hundred Thousand Dollars
33 (\$1,500,000.00) of Budget Contingency Funds to the Mississippi
34 Development Authority for the National Diabetes and Obesity
35 Research Center for contracting with the Cleveland Clinic; and
36 Three Million Six Hundred Seventy-six Thousand Five Hundred
37 Sixty-six Dollars (\$3,676,566.00) of Capital Expense Funds to the
38 Department of Corrections for medical and private prisons.

39 **SECTION 3.** For Fiscal Year 2019, the State Fiscal Officer
40 shall transfer to the Mississippi Development Authority Two
41 Million Seven Hundred Thousand Dollars (\$2,700,000.00) of Capital
42 Expense Funds for the Greenville Airport and Seven Hundred Fifty
43 Thousand Dollars (\$750,000.00) of Capital Expense Funds for the
44 Air Service Development Act.

45 Notwithstanding the amount transferred under the provisions
46 of the section, in no event shall the amount transferred exceed
47 the amount lapsed for these projects at the end of Fiscal Year
48 2018.

49 **SECTION 4.** For Fiscal Year 2019, the State Fiscal Officer
50 shall transfer One Million Eight Hundred Thousand Dollars
51 (\$1,800,000.00) of Capital Expense Funds to the Department of
52 Revenue. The department shall have the authority to receive,



53 escalate, budget and expend the funds provided within this section
54 in accordance with rules and regulations of the Department of
55 Finance and Administration in a manner consistent with the
56 escalation of federal funds.

57 **SECTION 5.** Section 22, Chapter 99, Laws of 2017, which
58 provides for the funding of a certain number of Home and
59 Community-Based Waiver slots by the State Department of Mental
60 Health, is repealed.

61 **SECTION 6.** Section 37, Chapter 102, Laws of 2017, is amended
62 as follows:

63 Section 37. Of the funds appropriated in Section 1(a), * * *
64 Twenty Million Four Hundred Forty-seven Thousand Sixty-six Dollars
65 (\$20,447,066.00) shall be used for the School Recognition Program
66 authorized by Section 37-19-10, Mississippi Code of 1972.

67 **SECTION 7.** Section 5, Chapter 102, Laws of 2017, is amended
68 as follows:

69 Section 5. Of the funds appropriated in this act, the
70 following positions are authorized for the State Department of
71 Education, excluding the expenses of the Vocational and Technical
72 Education Division:

73 AUTHORIZED POSITIONS:

74	Permanent:	Full Time.....	392
75		Part Time.....	3
76	Time-Limited:	Full Time..... * * * <u>151</u>	
77		Part Time.....	0



78 With the funds herein appropriated, it shall be the agency's
79 responsibility to make certain that funds required to be
80 appropriated for "Personal Services" for Fiscal Year 2019 do not
81 exceed Fiscal Year 2018 funds appropriated for that purpose,
82 unless programs or positions are added to the agency's Fiscal Year
83 2018 budget by the Mississippi Legislature. Based on data
84 provided by the Legislative Budget Office, the State Personnel
85 Board shall determine and publish the projected annual cost to
86 fully fund all appropriated positions in compliance with the
87 provisions of this act. It shall be the responsibility of the
88 agency head to ensure that no single personnel action increases
89 this projected annual cost and/or the Fiscal Year 2018
90 appropriations for "Personal Services" when annualized, with the
91 exception of escalated funds and the award of benchmarks. If, at
92 the time the agency takes any action to change "Personal
93 Services," the State Personnel Board determines that the agency
94 has taken an action which would cause the agency to exceed this
95 projected annual cost or the Fiscal Year 2018 "Personal Services"
96 appropriated level, when annualized, then only those actions which
97 reduce the projected annual cost and/or the appropriation
98 requirement will be processed by the State Personnel Board until
99 such time as the requirements of this provision are met.

100 Any transfers or escalations shall be made in accordance with
101 the terms, conditions and procedures established by law or
102 allowable under the terms set forth within this act. The State



103 Personnel Board shall not escalate positions without written
104 approval from the Department of Finance and Administration. The
105 Department of Finance and Administration shall not provide written
106 approval to escalate any funds for salaries and/or positions
107 without proof of availability of new or additional funds above the
108 appropriated level.

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

113 None of the funds herein appropriated shall be used in
114 violation of Internal Revenue Service Publication 15-A relating to
115 the reporting of income paid to contract employees, as interpreted
116 by the Office of the State Auditor.

117 **SECTION 8.** Section 13, Chapter 64, Laws of 2017, is amended
118 as follows:

119 Section 13. The Commissioner of the Mississippi Department
120 of Corrections is hereby authorized to transfer spending authority
121 between and within budgets, both positions and funds, in an amount
122 not to exceed twenty-five percent (25%) of the authorized budgets
123 in the aggregate. It is further the intention of the Legislature
124 that the Department of Corrections shall submit written
125 justification for the transfer to the Legislative Budget Office
126 and the Department of Finance and Administration on or before the



127 fifteenth of the month prior to the effective date of the
128 transfer. * * *

129 **SECTION 9.** Section 3, Chapter 1, Laws of 2017, is amended as
130 follows:

131 Section 3. Of the funds appropriated under the provisions of
132 Sections 1 and 2, not more than the amounts set forth below shall
133 be expended for the respective major objects or purposes of
134 expenditure and authorized positions:

135 **DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL**

136 MAJOR OBJECTS OF EXPENDITURE:

137 Personal Services:

138 Salaries, Wages and Fringe

139 Benefits.....\$ * * * 61,923,204.00

140 Travel and Subsistence..... * * * 271,800.00

141 Contractual Services..... 22,555,287.00

142 Commodities..... 5,776,238.00

143 Capital Outlay:

144 Other Than Equipment..... 0.00

145 Equipment..... * * * 2,172,371.00

146 Vehicles..... 3,224,415.00

147 Wireless Communication Devices..... 5,700.00

148 Subsidies, Loans and Grants..... * * * 1,547,309.00

149 Total.....\$ 97,476,324.00

150 FUNDING:

151 General Funds.....\$ 58,308,064.00



152	Special Funds.....		<u>39,168,260.00</u>
153	Total.....	\$	97,476,324.00

154 AUTHORIZED POSITIONS:

155	Permanent:	Full Time.....	1,115
156		Part Time.....	0
157	Time-Limited:	Full Time.....	22
158		Part Time.....	3

159 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

160 MAJOR OBJECTS OF EXPENDITURE:

161 Personal Services:

162	Salaries, Wages and Fringe Benefits...\$	665,998.00
163	Travel and Subsistence.....	0.00
164	Contractual Services.....	545,000.00
165	Commodities.....	310,856.00

166 Capital Outlay:

167	Other Than Equipment.....	0.00
168	Equipment.....	82,840.00
169	Vehicles.....	0.00
170	Wireless Communication Devices.....	0.00
171	Subsidies, Loans and Grants.....	<u>370,970.00</u>

172	Total.....	\$	1,975,664.00
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173 FUNDING:

174	General Funds.....	\$	288,110.00
175	Special Funds.....		<u>1,687,554.00</u>
176	Total.....	\$	1,975,664.00



177 AUTHORIZED POSITIONS:

178 Permanent: Full Time..... 15

179 Part Time..... 0

180 Time-Limited: Full Time..... 0

181 Part Time..... 0

DIVISION OF SUPPORT SERVICES

183 MAJOR OBJECTS OF EXPENDITURE:

184 Personal Services:

185 Salaries, Wages and Fringe Benefits...\$ 2,714,714.00

186 Travel and Subsistence..... * * * 10,163.00

187 Contractual Services..... * * * 4,200,610.00

188 Commodities..... * * * 102,199.00

189 Capital Outlay:

190 Other Than Equipment..... 0.00

191 Equipment..... 56,517.00

192 Vehicles..... 0.00

193 Wireless Communication Devices..... 0.00

194 Subsidies, Loans and Grants..... * * * 1,490,273.00

195 Total.....\$ * * * 8,574,476.00

196 FUNDING:

197 General Funds.....\$ * * * 3,736,141.00

198 Special Funds..... 4,838,335.00

199 Total.....\$ * * * 8,574,476.00

200 AUTHORIZED POSITIONS:

201 Permanent: Full Time..... 58



202	Part Time.....	0
203	Time-Limited: Full Time.....	1
204	Part Time.....	0

DIVISION OF CRIME LABORATORIES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

208	Salaries, Wages and Fringe Benefits...\$	6,704,865.00
209	Travel and Subsistence.....	49,000.00
210	Contractual Services..... * * *	<u>1,689,167.00</u>
211	Commodities..... * * *	<u>623,737.00</u>

Capital Outlay:

213	Other Than Equipment.....	0.00
214	Equipment.....	146,294.00
215	Vehicles.....	0.00
216	Wireless Communication Devices.....	1,000.00
217	Subsidies, Loans and Grants..... * * *	<u>5,000.00</u>
218	Total.....\$	9,219,063.00

FUNDING:

220	General Funds.....\$	6,858,605.00
221	Special Funds.....	<u>2,360,458.00</u>
222	Total.....\$	9,219,063.00

AUTHORIZED POSITIONS:

224	Permanent: Full Time.....	88
225	Part Time.....	0
226	Time-Limited: Full Time.....	11



227 Part Time..... 0

228 **DIVISION OF MEDICAL EXAMINER**

229 MAJOR OBJECTS OF EXPENDITURE:

230 Personal Services:

231 Salaries, Wages and Fringe Benefits...\$ 1,271,889.00

232 Travel and Subsistence..... 10,000.00

233 Contractual Services..... 1,106,237.00

234 Commodities..... 206,264.00

235 Capital Outlay:

236 Other Than Equipment..... 0.00

237 Equipment..... 4,389.00

238 Vehicles..... 0.00

239 Wireless Communication Devices..... 0.00

240 Subsidies, Loans and Grants..... 20,000.00

241 Total.....\$ 2,618,779.00

242 FUNDING:

243 General Funds.....\$ 487,775.00

244 Special Funds..... 2,131,004.00

245 Total.....\$ 2,618,779.00

246 AUTHORIZED POSITIONS:

247 Permanent: Full Time..... 11

248 Part Time..... 0

249 Time-Limited: Full Time..... 0

250 Part Time..... 0

251 **DIVISION OF PUBLIC SAFETY PLANNING**



252	OFFICE OF PUBLIC SAFETY PLANNING		
253	MAJOR OBJECTS OF EXPENDITURE:		
254	Personal Services:		
255	Salaries, Wages and Fringe Benefits...\$		1,430,772.00
256	Travel and Subsistence.....		82,912.00
257	Contractual Services.....	* * *	<u>1,232,263.00</u>
258	Commodities.....		138,795.00
259	Capital Outlay:		
260	Other Than Equipment.....		0.00
261	Equipment.....		0.00
262	Vehicles.....		0.00
263	Wireless Communication Devices.....		0.00
264	Subsidies, Loans and Grants.....	* * *	<u>23,753,824.00</u>
265	Total.....\$		26,638,566.00
266	FUNDING:		
267	General Funds.....\$		232,810.00
268	Special Funds.....		<u>26,405,756.00</u>
269	Total.....\$		26,638,566.00
270	AUTHORIZED POSITIONS:		
271	Permanent: Full Time.....		5
272	Part Time.....		0
273	Time-Limited: Full Time.....		33
274	Part Time.....		0
275	DIVISION OF PUBLIC SAFETY PLANNING		
276	OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING		



277 MAJOR OBJECTS OF EXPENDITURE:

278 Personal Services:

279 Salaries, Wages and Fringe Benefits...\$ * * * 311,347.00

280 Travel and Subsistence..... 4,500.00

281 Contractual Services..... * * * 114,065.00

282 Commodities..... 10,020.00

283 Capital Outlay:

284 Other Than Equipment..... 0.00

285 Equipment..... 3,000.00

286 Vehicles..... 0.00

287 Wireless Communication Devices..... 0.00

288 Subsidies, Loans and Grants..... * * * 1,863,097.00

289 Total.....\$ 2,306,029.00

290 FUNDING:

291 General Funds.....\$ 2,306,029.00

292 Special Funds..... 0.00

293 Total.....\$ 2,306,029.00

294 AUTHORIZED POSITIONS:

295 Permanent: Full Time..... 6

296 Part Time..... 0

297 Time-Limited: Full Time..... 0

298 Part Time..... 0

299 **DIVISION OF PUBLIC SAFETY PLANNING**

300 **BOARD OF EMERGENCY TELECOMMUNICATIONS**

301 MAJOR OBJECTS OF EXPENDITURE:



302	Personal Services:		
303	Salaries, Wages and Fringe Benefits...\$		101,998.00
304	Travel and Subsistence.....	* * *	<u>3,500.00</u>
305	Contractual Services.....	* * *	<u>51,550.00</u>
306	Commodities.....		5,650.00
307	Capital Outlay:		
308	Other Than Equipment.....		0.00
309	Equipment.....		0.00
310	Vehicles.....		0.00
311	Wireless Communication Devices.....		0.00
312	Subsidies, Loans and Grants.....	* * *	<u>547,830.00</u>
313	Total.....\$		710,528.00
314	FUNDING:		
315	General Funds.....\$		0.00
316	Special Funds.....		<u>710,528.00</u>
317	Total.....\$		710,528.00

318	AUTHORIZED POSITIONS:		
319	Permanent: Full Time.....		2
320	Part Time.....		0
321	Time-Limited: Full Time.....		0
322	Part Time.....		0

DIVISION OF PUBLIC SAFETY PLANNING
COUNCIL ON AGING

325 MAJOR OBJECTS OF EXPENDITURE:

326 Personal Services:



327	Salaries, Wages and Fringe Benefits...\$	113,299.00
328	Travel and Subsistence.....	3,625.00
329	Contractual Services.....	15,896.00
330	Commodities.....	1,461.00
331	Capital Outlay:	
332	Other Than Equipment.....	0.00
333	Equipment.....	0.00
334	Vehicles.....	0.00
335	Wireless Communication Devices.....	0.00
336	Subsidies, Loans and Grants.....	<u>67,677.00</u>
337	Total.....\$	201,958.00
338	FUNDING:	
339	General Funds.....\$	201,958.00
340	Special Funds.....	<u>0.00</u>
341	Total.....\$	201,958.00
342	AUTHORIZED POSITIONS:	
343	Permanent: Full Time.....	1
344	Part Time.....	0
345	Time-Limited: Full Time.....	1
346	Part Time.....	0
347	COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD	
348	MAJOR OBJECTS OF EXPENDITURE:	
349	Personal Services:	
350	Salaries, Wages and Fringe Benefits.. \$ * * *	<u>54,862.00</u>
351	Travel and Subsistence.....	100.00



352	Contractual Services.....	* * *	<u>5,962.00</u>
353	Commodities.....		160.00
354	Capital Outlay:		
355	Other Than Equipment.....		0.00
356	Equipment.....		0.00
357	Vehicles.....		0.00
358	Wireless Communication Devices.....		0.00
359	Subsidies, Loans and Grants.....	* * *	<u>291,696.00</u>
360	Total.....	\$	352,780.00
361	FUNDING:		
362	General Funds.....	\$	352,780.00
363	Special Funds.....		<u>0.00</u>
364	Total.....	\$	352,780.00
365	AUTHORIZED POSITIONS:		
366	Permanent: Full Time.....		1
367	Part Time.....		0
368	Time-Limited: Full Time.....		0
369	Part Time.....		0
370	OFFICE OF HOMELAND SECURITY		
371	MAJOR OBJECTS OF EXPENDITURE:		
372	Personal Services:		
373	Salaries, Wages and Fringe Benefits...\$		1,368,814.00
374	Travel and Subsistence.....		47,816.00
375	Contractual Services.....		750,785.00
376	Commodities.....		144,172.00



377	Capital Outlay:		
378	Other Than Equipment.....		0.00
379	Equipment.....		23,567.00
380	Vehicles.....		0.00
381	Wireless Communication Devices.....		196.00
382	Subsidies, Loans and Grants.....		<u>16,366,189.00</u>
383	Total.....	\$	18,701,539.00

384	FUNDING:		
385	General Funds.....	\$	86,830.00
386	Special Funds.....		<u>18,614,709.00</u>
387	Total.....	\$	18,701,539.00

388	AUTHORIZED POSITIONS:		
389	Permanent: Full Time.....	9	
390	Part Time.....	0	
391	Time-Limited: Full Time.....	10	
392	Part Time.....	0	

BUREAU OF NARCOTICS

394	MAJOR OBJECTS OF EXPENDITURE:		
395	Personal Services:		
396	Salaries, Wages and Fringe		
397	Benefits.....	\$ * * *	<u>10,641,946.00</u>
398	Travel and Subsistence.....		25,000.00
399	Contractual Services.....		953,372.00
400	Commodities.....		1,003,012.00
401	Capital Outlay:		



402	Other Than Equipment.....	0.00
403	Equipment.....	165,904.00
404	Vehicles.....	0.00
405	Wireless Communication Devices.....	0.00
406	Subsidies, Loans and Grants.....	<u>709,226.00</u>
407	Total.....	\$ * * * <u>13,498,460.00</u>

408 FUNDING:

409	General Funds.....	\$ * * * <u>11,593,161.00</u>
410	Special Funds.....	<u>1,905,299.00</u>
411	Total.....	\$ * * * <u>13,498,460.00</u>

412 AUTHORIZED POSITIONS:

413	Permanent: Full Time.....	184
414	Part Time.....	0
415	Time-Limited: Full Time.....	8
416	Part Time.....	0

417 **JUVENILE FACILITY MONITORING UNIT**

418 MAJOR OBJECTS OF EXPENDITURE:

419 Personal Services:

420	Salaries, Wages and Fringe Benefits..	\$ * * * <u>166,584.00</u>
421	Travel and Subsistence.....	5,934.00
422	Contractual Services.....	* * * <u>108,172.00</u>
423	Commodities.....	9,882.00

424 Capital Outlay:

425	Other Than Equipment.....	0.00
426	Equipment.....	0.00



427	Vehicles.....	0.00
428	Wireless Communication Devices.....	0.00
429	Subsidies, Loans and Grants.....	<u>0.00</u>
430	Total.....\$	290,572.00

431 FUNDING:

432	General Funds.....\$	56,568.00
433	Special Funds.....	<u>234,004.00</u>
434	Total.....\$	290,572.00

435 AUTHORIZED POSITIONS:

436	Permanent: Full Time.....	0
437	Part Time.....	0
438	Time-Limited: Full Time.....	3
439	Part Time.....	0

440 With the funds herein appropriated, it shall be the agency's
441 responsibility to make certain that funds required to be
442 appropriated for "Personal Services" for Fiscal Year 2019 do not
443 exceed Fiscal Year 2018 funds appropriated for that purpose,
444 unless programs or positions are added to the agency's Fiscal Year
445 2018 budget by the Mississippi Legislature. Based on data
446 provided by the Legislative Budget Office, the State Personnel
447 Board shall determine and publish the projected annual cost to
448 fully fund all appropriated positions in compliance with the
449 provisions of this act. It shall be the responsibility of the
450 agency head to ensure that no single personnel action increases
451 this projected annual cost and/or the Fiscal Year 2018



452 appropriations for "Personal Services" when annualized, with the
453 exception of escalated funds and the award of benchmarks. If, at
454 the time the agency takes any action to change "Personal
455 Services," the State Personnel Board determines that the agency
456 has taken an action which would cause the agency to exceed this
457 projected annual cost or the Fiscal Year 2018 "Personal Services"
458 appropriated level, when annualized, then only those actions which
459 reduce the projected annual cost and/or the appropriation
460 requirement will be processed by the State Personnel Board until
461 such time as the requirements of this provision are met.

462 Any transfers or escalations shall be made in accordance with
463 the terms, conditions and procedures established by law or
464 allowable under the terms set forth within this act. The State
465 Personnel Board shall not escalate positions without written
466 approval from the Department of Finance and Administration. The
467 Department of Finance and Administration shall not provide written
468 approval to escalate any funds for salaries and/or positions
469 without proof of availability of new or additional funds above the
470 appropriated level.

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

475 None of the funds herein appropriated shall be used in
476 violation of Internal Revenue Service Publication 15-A relating to



477 the reporting of income paid to contract employees, as interpreted
478 by the Office of the State Auditor.

479 **SECTION 10.** This act shall take effect and be in force from
480 and after its passage.

