

By: Representatives Read, Huddleston, Arnold, Baria, Barton, Boyd, Brown, Cockerham, Denny, Hines, Holland, Ladner, Myers, Staples, Sullivan, Turner, Watson, Willis, Faulkner, Dixon

To: Appropriations

HOUSE BILL NO. 1618
(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 2020.

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 appropriated out of any money in the State Treasury
9 to the credit of the Administrative Expense Account of the Public
10 Employees' Retirement System for the purpose of defraying the
11 administrative expenses of the Board of Trustees of the Public
12 Employees' Retirement System, or out of any money in the State
13 Treasury to the credit of the Retirement System Building Account
14 of the Public Employees' Retirement System for the purpose of
15 maintenance and general operation of the Retirement System
16 Building, for the fiscal year beginning July 1, 2019, and ending
17 June 30, 2020.....\$ 16,114,043.00.

18 **SECTION 2.** Of the funds appropriated under the provisions of
19 Section 1, the following positions are authorized:



20 AUTHORIZED POSITIONS:

21	Permanent:	Full Time.....	171
22		Part Time.....	0
23	Time-Limited:	Full Time.....	0
24		Part Time.....	0

25 With the funds herein appropriated, it shall be the agency's
26 responsibility to make certain that funds required to be
27 appropriated for "Personal Services" for Fiscal Year 2021 do not
28 exceed Fiscal Year 2020 funds appropriated for that purpose,
29 unless programs or positions are added to the agency's Fiscal Year
30 2020 budget by the Mississippi Legislature. Based on data
31 provided by the Legislative Budget Office, the State Personnel
32 Board shall determine and publish the projected annual cost to
33 fully fund all appropriated positions in compliance with the
34 provisions of this act. It shall be the responsibility of the
35 agency head to ensure that no single personnel action increases
36 this projected annual cost and/or the Fiscal Year 2020
37 appropriations for "Personal Services" when annualized, with the
38 exception of escalated funds and the award of benchmarks. If, at
39 the time the agency takes any action to change "Personal
40 Services," the State Personnel Board determines that the agency
41 has taken an action which would cause the agency to exceed this
42 projected annual cost or the Fiscal Year 2020 "Personal Services"
43 appropriated level, when annualized, then only those actions which
44 reduce the projected annual cost and/or the appropriation



45 requirement will be processed by the State Personnel Board until
46 such time as the requirements of this provision are met.

47 Funds are provided herein for all full-time employees to
48 receive up to a Three Percent (3%) pay increase to the realignment
49 component of the Variable Compensation Plan, excluding head of
50 agencies, board members and commission members.

51 Any transfers or escalations shall be made in accordance with
52 the terms, conditions and procedures established by law or
53 allowable under the terms set forth within this act. The State
54 Personnel Board shall not escalate positions without written
55 approval from the Department of Finance and Administration. The
56 Department of Finance and Administration shall not provide written
57 approval to escalate any funds for salaries and/or positions
58 without proof of availability of new or additional funds above the
59 appropriated level.

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

64 None of the funds herein appropriated shall be used in
65 violation of Internal Revenue Service's Publication 15-A relating
66 to the reporting of income paid to contract employees, as
67 interpreted by the Office of the State Auditor.

68 **SECTION 3.** It is the intention of the Legislature that the
69 Board of Trustees of the Public Employees' Retirement System shall



70 maintain complete accounting and personnel records related to the
71 expenditure of all funds appropriated under this act and that such
72 records shall be in the same format and level of detail as
73 maintained for Fiscal Year 2019. It is further the intention of
74 the Legislature that the agency's budget request for Fiscal Year
75 2021 shall be submitted to the Joint Legislative Budget Committee
76 in a format and level of detail comparable to the format and level
77 of detail provided during the Fiscal Year 2020 budget request
78 process.

79 **SECTION 4.** In accordance with the purposes of this article,
80 there shall be established in the State Treasury the Public
81 Employees' Retirement System Building Repair and Maintenance Fund,
82 into which shall be deposited all funds collected as rental income
83 from the building owned by the system located at 301 North
84 President Street, Jackson, Mississippi. At the end of each fiscal
85 year, any and all unexpended funds shall be transferred to the
86 Administrative Budget Fund of the system.

87 **SECTION 5.** It is the intention of the Legislature that
88 whenever two (2) or more bids are received by this agency for the
89 purchase of commodities or equipment, and whenever all things
90 stated in such received bids are equal with respect to price,
91 quality and service, the Mississippi Industries for the Blind
92 shall be given preference. A similar preference shall be given to
93 the Mississippi Industries for the Blind whenever purchases are
94 made without competitive bids.



95 **SECTION 6.** In addition to all other sums herein
96 appropriated, the following sum, or so much thereof as may be
97 necessary, is appropriated out of any money in the State Treasury
98 to the credit of the Administrative Expense Account of the Public
99 Employees' Retirement System, for the purpose of defraying those
100 expenses associated with a replacement computer system, for the
101 fiscal year beginning July 1, 2019, and ending June 30, 2020.....
102\$ 3,900,000.00.

103 **SECTION 7.** The Public Employees' Retirement System is
104 further authorized, in its discretion, to expend funds for the
105 purchase of service pins for employees of the Public Employees'
106 Retirement System.

107 **SECTION 8.** Of the funds appropriated in Section 1, no more
108 than Three Hundred Thousand Dollars (\$300,000.00) is provided,
109 only for the explicit purpose of building maintenance and repair.

110 **SECTION 9.** It is the intention of the Legislature that the
111 funds herein appropriated shall be expended in compliance with
112 Section 27-104-25, Mississippi Code of 1972, that no state agency
113 shall incur obligations or indebtedness in excess of their
114 appropriation and that the responsible officers, either personally
115 or upon their official bonds, shall be held responsible for
116 actions contrary to this provision.

117 **SECTION 10.** The money herein appropriated shall be paid by
118 the State Treasurer out of any money in the State Treasury to the
119 credit of the proper fund or funds as set forth in this act, upon



120 warrants issued by the State Fiscal Officer; and the State Fiscal
121 Officer shall issue his warrants upon requisitions signed by the
122 proper person, officer or officers, in the manner provided by law.

123 **SECTION 11.** This act shall take effect and be in force from
124 and after July 1, 2019.

