

By: Senator(s) Gordon, Thames, Farris,  
Kirby, Chaney, Frazier, Little, Walls,  
Williamson

To: Appropriations

SENATE BILL NO. 3137  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2003.

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, 2002, and ending June 30, 2003.....  
9 ..... \$ 583,022.00.

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, 2002, and ending June 30, 2003.....  
17 ..... \$ 2,377,377.00.

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. \$	1,598,681.00
25	Travel and Subsistence.....	13,565.00
26	Contractual Services.....	1,131,639.00
27	Commodities.....	197,514.00



28 Capital Outlay:

29 Other Than Equipment..... 0.00

30 Equipment..... 19,000.00

31 Subsidies, Loans and Grants..... 0.00

32 Total..... \$ 2,960,399.00

33 FUNDING:

34 General Funds..... \$ 583,022.00

35 Special Funds..... 2,377,377.00

36 Total..... \$ 2,960,399.00

37 AUTHORIZED POSITIONS:

38 Permanent: Full Time..... 33

39 Part Time..... 0

40 Time-Limited: Full Time..... 0

41 Part Time..... 0

42 **SECTION 4.** In addition to all other sums herein

43 appropriated, the following sum, or so much thereof as may be

44 necessary, is hereby appropriated out of any money in the State

45 Treasury to the credit of the Education Improvement Trust Fund No.

46 3219 for the purpose of investing funds for the fiscal year

47 beginning July 1, 2002, and ending June 30, 2003.....

48 ..... \$ 87,000.00.

49 **SECTION 5.** The following sum, or so much thereof as may be

50 necessary, is hereby appropriated out of any money in the State

51 Treasury to the credit of the Mississippi Prepaid Affordable

52 College Tuition Administrative Fund to defray the costs of the

53 Mississippi Prepaid Affordable College Tuition Program for the

54 fiscal year beginning July 1, 2002, and ending June 30, 2003.....

55 ..... \$ 1,241,147.00.

56 With the funds appropriated in this section, the following

57 positions are authorized:

58 AUTHORIZED POSITIONS:

59 Permanent: Full Time..... 5

60 **SECTION 6.** In addition to all other sums herein appropriated,



61 the following sum, or so much thereof as may be necessary, is  
62 hereby appropriated out of any money in the State Treasury to the  
63 credit of the Mississippi Prepaid Affordable College Tuition Trust  
64 Fund for the purpose of paying all amounts due for prepaid tuition  
65 contracts of the Mississippi Prepaid Affordable College Tuition  
66 Program, for the fiscal year beginning July 1, 2002, and ending  
67 June 30, 2003..... \$ 4,000,000.00.

68 **SECTION 7.** The following sum, or so much thereof as may be  
69 necessary, is hereby appropriated out of any money in the State  
70 Treasury to the credit of the Health Care Expendable Fund, created  
71 under House Bill No. 519, 1999 Regular Session, for the purpose of  
72 defraying the expenses of the Office of the State Treasurer for  
73 the fiscal year beginning July 1, 2002, and ending June 30, 2003.  
74 ..... \$ 116,833.00.

75 With the funds appropriated in this section, the following  
76 positions are authorized:

77 AUTHORIZED POSITIONS:

78 Permanent: Full Time..... 2

79 **SECTION 8.** The following sum, or so much thereof as may be  
80 necessary, is hereby appropriated out of any money in the State  
81 Treasury to the credit of the Mississippi Affordable College  
82 Savings Administrative Fund to defray the costs of the Mississippi  
83 Affordable College Savings Program for the fiscal year beginning  
84 July 1, 2002, and ending June 30, 2003..... \$ 347,009.00.

85 With the funds appropriated in this section, the following  
86 positions are authorized:

87 AUTHORIZED POSITIONS:

88 Permanent: Full Time..... 2

89 **SECTION 9.** It is the intention of the Legislature that the  
90 State Treasurer is hereby authorized to accept, budget and expend  
91 an amount not to exceed One Million Dollars (\$1,000,000.00) from  
92 any funds deposited into the Mississippi Affordable College  
93 Savings Fund from administrative fees, grants, other payments or



94 investment earnings received by the Mississippi Affordable College  
95 Savings Program. Such funds shall be escalated in accordance with  
96 the rules and regulations of the Department of Finance and  
97 Administration in a manner consistent with the escalation of  
98 federal funds.

99       **SECTION 10.** Funds are provided herein to adjust the Variable  
100 Compensation Plan to ensure that all full-time employees receive a  
101 pay increase equal to fifty percent (50%) of the realignment  
102 component of the Variable Compensation Plan or Six Hundred Dollars  
103 (\$600.00), whichever is greater, beginning on January 1, 2003.

104       With the funds herein appropriated, it is the intention of  
105 the Legislature that it shall be the agency's responsibility to  
106 make certain that funds required to be appropriated for "Personal  
107 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003  
108 funds appropriated for that purpose, unless programs, positions or  
109 pay increases are added to the agency's budget by the Mississippi  
110 Legislature. Based on data provided by the Legislative Budget  
111 Office, the State Personnel Board shall, on July 1, 2002, publish  
112 separate annual projection reports, based on July 1, 2002 data,  
113 for the period of July 1, 2002, through December 31, 2002, and  
114 January 1, 2003, through June 30, 2003, that project the annual  
115 cost to fully fund all appropriated positions in compliance with  
116 the provisions of this act. It shall be the responsibility of the  
117 agency head to ensure that no single personnel action increases  
118 this projected cost and/or the Fiscal Year 2003 appropriation for  
119 "Personal Services," as annualized on a semi-annual basis in  
120 accordance with the provisions of this act. If, at the end of any  
121 calendar month, the State Personnel Board determines that the  
122 agency has taken action(s) which would cause the agency to exceed  
123 this projected annual cost or the Fiscal Year 2003 "Personal  
124 Services" appropriated level, when annualized in compliance with  
125 the provisions of this act, then only those actions which reduce  
126 the projected annual cost and/or the appropriation requirement



127 will be processed by the State Personnel Board until such time as  
128 the requirements of this provision are met.

129       **SECTION 11.** It is the intention of the Legislature that the  
130 State Treasurer is hereby authorized to accept, budget and expend  
131 an amount not to exceed One Million Dollars (\$1,000,000.00) from  
132 administrative fees charged and from interest earnings on any  
133 funds authorized for administration of the Mississippi Prepaid  
134 Affordable College Tuition Program, for the administration of the  
135 Mississippi Prepaid Affordable College Tuition Program. Such  
136 funds shall be escalated in accordance with the rules and  
137 regulations of the Department of Finance and Administration in a  
138 manner consistent with the escalation of federal funds.

139       **SECTION 12.** No part of the funds appropriated herein shall  
140 be used in the payment of attorney's fees, nor shall any of said  
141 funds be used either directly or indirectly, for the purpose of  
142 paying any clerk, stenographer, assistant, deputy or other person  
143 who may be related by blood or marriage within the third degree,  
144 computed by the rules of the civil law, to the official employing  
145 or having the right of employment or selection thereof; and in the  
146 event of any such payment, then the official or person approving  
147 and making or receiving such payment shall be jointly and  
148 severally liable to return to the State of Mississippi and to pay  
149 into the State Treasury three (3) times any such amount so paid or  
150 received, to be recovered at suit of the Attorney General;  
151 provided that when the relationship is by affinity and the person  
152 through whom the relationship was established is dead, this  
153 provision shall not apply.

154       **SECTION 13.** The money herein appropriated shall be paid by  
155 the State Treasurer out of any money in the State Treasury to the  
156 credit of the proper fund or funds as set forth in this act, upon  
157 warrants issued by the State Fiscal Officer; and the State Fiscal  
158 Officer shall issue his warrants upon requisitions signed by the  
159 proper person, officer or officers in the manner provided by law.



160           **SECTION 14.** This act shall take effect and be in force from  
161 and after July 1, 2002.

