

By: Representatives Read,
Martinson, Broomfield, Brown,
Davis, Denny, Middleton, Miles,
Weathersby

To: Appropriations

HOUSE BILL NO. 44

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER
3 EXAMINERS FOR THE FISCAL YEAR 2006.

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

5 SECTION 1. The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 Treasury to the credit of the State Board of Barber Examiners, for
8 the purpose of defraying the expenses of the board for the fiscal
9 year beginning July 1, 2005, and ending June 30, 2006.....
10 \$ 213,456.00.

11 SECTION 2. With the funds approved for expenditure under
12 Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14 Permanent: Full Time..... 2
15 Part Time..... 4
16 Time-Limited: Full Time..... 0
17 Part Time..... 0

18 With the funds herein appropriated, it is the intention of
19 the Legislature that it shall be the agency's responsibility to
20 make certain that funds required to be appropriated for "Personal
21 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
22 funds appropriated for that purpose, unless programs or positions
23 are added to the agency's Fiscal Year 2007 budget by the
24 Mississippi Legislature. Based on data provided by the
25 Legislative Budget Office, the State Personnel Board shall
26 determine and publish the projected annual cost to fully fund all
27 appropriated positions in compliance with the provisions of this

act. It shall be the responsibility of the agency head to insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2006 appropriation for "Personal Services" when annualized, with the exception of escalated funds. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2006 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

The agency shall not take any action to promote or otherwise award salary increases through reallocation, reclassification, realignment, education benchmark, career ladder, or any other means to increase salaries of employees or positions unless specifically exempted by the following conditions: the award of teacher pay increases, the advancement of a trainee/cadet to the next level of a bona fide career ladder, the award of an educational benchmark for the attainment of Certified Public

61 Accountant License or higher level professional certification as
62 determined by the State Personnel Board, the immediate replacement
63 of a departing employee with an individual from within state
64 service or a new hire at a salary level equivalent to that of the
65 departing employee, and the emergency appointment of nurses,
66 pharmacists or other health care professionals at a salary to be
67 determined by the State Personnel Board, unless otherwise
68 authorized in this act.

69 **SECTION 3.** It is the intention of the Legislature that the
70 State Board of Barber Examiners shall maintain complete accounting
71 and personnel records related to the expenditure of all funds
72 appropriated under this act and that such records shall be in the
73 same format and level of detail as maintained for Fiscal Year
74 2005. It is further the intention of the Legislature that the
75 agency's budget request for Fiscal Year 2007 shall be submitted to
76 the Joint Legislative Budget Committee in a format and level of
77 detail comparable to the format and level of detail provided
78 during the Fiscal Year 2006 budget request process.

79 **SECTION 4.** The money herein appropriated shall be paid by
80 the State Treasurer out of any money in the State Treasury to the
81 credit of the proper fund or funds as set forth in this act, upon
82 warrants issued by the State Fiscal Officer; and the State Fiscal
83 Officer shall issue his warrants upon requisitions signed by the
84 proper person, officer or officers, in the manner provided by law.

85 **SECTION 5.** This act shall take effect and be in force from
86 and after July 1, 2005.