

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

To: Appropriations

HOUSE BILL NO. 45
(As Passed the House)

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF
3 REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR
4 FISCAL YEAR 2006.

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

6 **SECTION 1.** The following sum, or so much thereof as may be
7 necessary, is hereby appropriated out of any money in the State
8 Treasury to the credit of the State Board of Registration for
9 Professional Engineers and Land Surveyors, for the purpose of
10 defraying the expenses of the board for the fiscal year beginning
11 July 1, 2005, and ending June 30, 2006..... \$ 440,218.00.

12 **SECTION 2.** Of the funds approved for expenditure under the
13 provisions of Section 1, not more than the amounts set forth below
14 shall be expended for the respective major objects or purposes of
15 expenditure:

16 MAJOR OBJECTS OF EXPENDITURE:

17 Personal Services:

18	Salaries, Wages and Fringe Benefits..	\$	230,520.00
19	Travel and Subsistence.....		35,000.00
20	Contractual Services.....		152,298.00
21	Commodities.....		16,900.00
22	Capital Outlay:		
23	Other Than Equipment.....		0.00
24	Equipment.....		5,500.00
25	Subsidies, Loans and Grants.....		0.00
26	Total.....	\$	440,218.00

27 AUTHORIZED POSITIONS:

28 Permanent: Full Time..... 4

29	Part Time.....	1
30	Time-Limited: Full Time.....	0
31	Part Time.....	0

32 With the funds herein appropriated, it is the intention of
33 the Legislature that it shall be the agency's responsibility to
34 make certain that funds required to be appropriated for "Personal
35 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
36 funds appropriated for that purpose, unless programs or positions
37 are added to the agency's Fiscal Year 2007 budget by the
38 Mississippi Legislature. Based on data provided by the
39 Legislative Budget Office, the State Personnel Board shall
40 determine and publish the projected annual cost to fully fund all
41 appropriated positions in compliance with the provisions of this
42 act. It shall be the responsibility of the agency head to insure
43 that no single personnel action increases this projected annual
44 cost and/or the Fiscal Year 2006 appropriation for "Personal
45 Services" when annualized, with the exception of escalated funds.
46 If, at the time the agency takes any action to change "Personal
47 Services," the State Personnel Board determines that the agency
48 has taken an action which would cause the agency to exceed this
49 projected annual cost or the Fiscal Year 2006 "Personal Services"
50 appropriated level, when annualized, then only those actions which
51 reduce the projected annual cost and/or the appropriation
52 requirement will be processed by the State Personnel Board until
53 such time as the requirements of this provision are met.

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

61 without proof of availability of new or additional funds above the
62 appropriated level.

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

67 The agency shall not take any action to promote or otherwise
68 award salary increases through reallocation, reclassification,
69 realignment, education benchmark, career ladder, or any other
70 means to increase salaries of employees or positions unless
71 specifically exempted by the following conditions: the award of
72 teacher pay increases, the advancement of a trainee/cadet to the
73 next level of a bona fide career ladder, the award of an
74 educational benchmark for the attainment of Certified Public
75 Accountant License or higher level professional certification as
76 determined by the State Personnel Board, the immediate replacement
77 of a departing employee with an individual from within state
78 service or a new hire at a salary level equivalent to that of the
79 departing employee, and the emergency appointment of nurses,
80 pharmacists or other health care professionals at a salary to be
81 determined by the State Personnel Board, unless otherwise
82 authorized in this act.

83 **SECTION 3.** It is the intention of the Legislature that the
84 State Board of Registration for Professional Engineers and Land
85 Surveyors shall maintain complete accounting and personnel records
86 related to the expenditure of all funds appropriated under this
87 act and that such records shall be in the same format and level of
88 detail as maintained for Fiscal Year 2005. It is further the
89 intention of the Legislature that the agency's budget request for
90 Fiscal Year 2007 shall be submitted to the Joint Legislative
91 Budget Committee in a format and level of detail comparable to the
92 format and level of detail provided during the Fiscal Year 2006
93 budget request process.

94 **SECTION 4.** Of the funds provided herein, the sum of
95 Seventeen Thousand Two Hundred Forty-eight Dollars (\$17,248.00) is
96 hereby assessed on any non-federal special funds and shall be
97 deposited to the Budget Contingency Fund created in Section
98 27-103-301, Mississippi Code of 1972, on or before October 1,
99 2005, for the purpose of reimbursing the State of Mississippi for
100 administrative costs.

101 **SECTION 5.** None of the monies appropriated under this act
102 shall be expended for payment of that amount of the salary of any
103 person holding the position of division director, department
104 director or head, bureau director, deputy or assistant director or
105 similar position on May 15, 2005, which would exceed the amount
106 actually paid for the same position on June 30, 2003, regardless
107 of the title or position held or duties performed by the person
108 holding the position on June 30, 2003.

109 **SECTION 6.** The money herein appropriated shall be paid by
110 the State Treasurer out of any money in the State Treasury to the
111 credit of the proper fund or funds as set forth in this act, upon
112 warrants issued by the State Fiscal Officer; and the State Fiscal
113 Officer shall issue his warrants upon requisitions signed by the
114 proper person, officer or officers, in the manner provided by law.

115 **SECTION 7.** This act shall take effect and be in force from
116 and after July 1, 2005.