

By: Senator(s) Gordon, Little, Dearing, Gollott, Jackson (15th), Lee (47th), Wilemon To: Appropriations

SENATE BILL NO. 2064 (As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2006.

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

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, to defray the expenses of
7 the Department of Finance and Administration for the fiscal year
8 beginning July 1, 2005, and ending June 30, 2006.....
9 \$ 10,884,876.00.

10 SECTION 2. The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Finance and
13 Administration for the purpose of defraying the expenses incurred
14 in the operation of the various offices of the department for the
15 fiscal year beginning July 1, 2005, and ending June 30, 2006.....
16 \$ 24,794,256.00.

17 SECTION 3. Of the funds appropriated under the provisions of
18 Sections 1 and 2, not more than the amounts set forth below shall
19 be expended for the respective major objects or purposes of
20 expenditure:

21 MAJOR OBJECTS OF EXPENDITURE:

- 22 Personal Services:
23 Salaries, Wages and Fringe Benefits.. \$ 17,832,226.00
24 Travel and Subsistence..... 213,048.00
25 Contractual Services..... 13,888,898.00
26 Commodities..... 1,067,330.00
27 Capital Outlay:

28	Other Than Equipment.....		0.00
29	Equipment.....		1,956,580.00
30	Subsidies, Loans and Grants.....		<u>721,050.00</u>
31	Total.....	\$	35,679,132.00

32 FUNDING:

33	General Funds.....	\$	10,884,876.00
34	Special Funds.....		<u>24,794,256.00</u>
35	Total.....	\$	35,679,132.00

36 AUTHORIZED POSITIONS:

37	Permanent:	Full Time.....	332
38		Part Time.....	2
39	Time-Limited:	Full Time.....	0
40		Part Time.....	0

41 Provided that a report based on expenditures incurred during
42 the current and immediate-past fiscal years shall be provided to
43 each regularly scheduled legislative session. This report should
44 reflect expenditures as a result of the operation of the Robert E.
45 Lee Building, the Woolfolk State Office Building, the Gartin and
46 Sillers Buildings, the Capitol Buildings, the Central High School
47 Building, the Robert G. Clark, Jr., Building and other state
48 buildings, and this report should contain any steps taken to
49 reduce operating costs.

50 It is also the intention of the Legislature that no
51 state-owned aircraft shall be utilized by any person except for
52 official business only.

53 **SECTION 4.** In addition to all other sums herein
54 appropriated, the following sum, or so much thereof as may be
55 necessary, is hereby appropriated out of any money in the special
56 fund in the State Treasury to the credit of the Tort Claims Fund
57 for the purpose of defraying the expenses of the Tort Claims Board
58 in the administration of the Tort Claims Act for the fiscal year
59 beginning July 1, 2005, and ending June 30, 2006.....
60 \$ 10,502,483.00.

61 Of the funds appropriated under the provisions of this
 62 section, not more than the amounts set forth below shall be
 63 expended for the respective major objects or purposes of
 64 expenditure:

65 MAJOR OBJECTS OF EXPENDITURE:

66 Personal Services:

67 Salaries, Wages and Fringe Benefits.. \$ 358,301.00

68 Travel and Subsistence..... 17,400.00

69 Contractual Services..... 4,125,894.00

70 Commodities..... 6,800.00

71 Capital Outlay:

72 Other Than Equipment..... 0.00

73 Equipment..... 3,000.00

74 Subsidies, Loans and Grants..... 5,991,088.00

75 Total..... \$ 10,502,483.00

76 FUNDING:

77 General Funds..... \$ 0.00

78 Special Funds..... 10,502,483.00

79 Total..... \$ 10,502,483.00

80 AUTHORIZED POSITIONS:

81 Permanent: Full Time..... 6

82 Part Time..... 0

83 Time-Limited: Full Time..... 0

84 Part Time..... 0

85 **SECTION 5.** In addition to all other sums herein

86 appropriated, the following sum or so much thereof as may be
 87 necessary is hereby appropriated out of any money in the State
 88 Treasury to the credit of the Medical Malpractice Fund for the
 89 purpose of defraying the expenses of the Tort Claims Board in
 90 administering the Medical Malpractice Insurance Availability Plan,
 91 for the fiscal year beginning July 1, 2005, and ending

92 June 30, 2006..... \$ 376,140.00.

93 Of the funds appropriated under the provisions of this
 94 section, not more than the amounts set forth below shall be
 95 expended for the respective major objects or purposes of
 96 expenditure:

97 MAJOR OBJECTS OF EXPENDITURE:

98 Personal Services:

99	Salaries, Wages and Fringe Benefits..	\$	241,518.00
100	Travel and Subsistence.....		10,000.00
101	Contractual Services.....		120,122.00
102	Commodities.....		1,000.00
103	Capital Outlay:		
104	Other Than Equipment.....		0.00
105	Equipment.....		3,500.00
106	Subsidies, Loans and Grants.....		<u>0.00</u>
107	Total.....	\$	376,140.00

108 FUNDING:

109	General Funds.....	\$	0.00
110	Special Funds.....		<u>376,140.00</u>
111	Total.....	\$	376,140.00

112 AUTHORIZED POSITIONS:

113	Permanent:	Full Time.....	5
114		Part Time.....	0
115	Time-Limited:	Full Time.....	0
116		Part Time.....	0

117 **SECTION 6.** With the funds herein appropriated, it is the
 118 intention of the Legislature that it shall be the agency's
 119 responsibility to make certain that funds required to be
 120 appropriated for "Personal Services" for Fiscal Year 2007 do not
 121 exceed Fiscal Year 2006 funds appropriated for that purpose,
 122 unless programs or positions are added to the agency's Fiscal Year
 123 2007 budget by the Mississippi Legislature. Based on data
 124 provided by the Legislative Budget Office, the State Personnel
 125 Board shall determine and publish the projected annual cost to

126 fully fund all appropriated positions in compliance with the
127 provisions of this act. It shall be the responsibility of the
128 agency head to insure that no single personnel action increases
129 this projected annual cost and/or the Fiscal Year 2006
130 appropriation for "Personal Services" when annualized, with the
131 exception of escalated funds. If, at the time the agency takes
132 any action to change "Personal Services," the State Personnel
133 Board determines that the agency has taken an action which would
134 cause the agency to exceed this projected annual cost or the
135 Fiscal Year 2006 "Personal Services" appropriated level, when
136 annualized, then only those actions which reduce the projected
137 annual cost and/or the appropriation requirement will be processed
138 by the State Personnel Board until such time as the requirements
139 of this provision are met.

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

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

153 The agency shall not take any action to promote or otherwise
154 award salary increases through reallocation, reclassification,
155 realignment, education benchmark, career ladder, or any other
156 means to increase salaries of employees or positions unless
157 specifically exempted by the following conditions: the award of
158 teacher pay increases, the advancement of a trainee/cadet to the

159 next level of a bona fide career ladder, the award of an
160 educational benchmark for the attainment of Certified Public
161 Accountant License or higher level professional certification as
162 determined by the State Personnel Board, the immediate replacement
163 of a departing employee with an individual from within state
164 service or a new hire at a salary level equivalent to that of the
165 departing employee, and the emergency appointment of nurses,
166 pharmacists or other health care professionals at a salary to be
167 determined by the State Personnel Board, unless otherwise
168 authorized in this act.

169 **SECTION 7.** The Bureau of Building, Grounds and Real Property
170 Management of the Office of General Services is hereby expressly
171 authorized and empowered to receive, budget and expend any state,
172 local or other source funds designated for supplemental funding of
173 construction and/or repairs and renovation projects.

174 **SECTION 8.** Of the funds appropriated under the provisions of
175 Section 2, the following amounts are authorized to be spent out of
176 the Statewide Cost Allocation Fund No. 3143 by the Department of
177 Finance and Administration:

178 (a) Three Hundred Two Thousand Fifty Dollars (\$302,050.00)
179 for the purpose of defraying computer expenses.

180 (b) One Million Eighty-seven Thousand One Hundred
181 Twenty-eight Dollars (\$1,087,128.00) for the purpose of
182 defraying the cost of the acquisition, development and
183 implementation of the Statewide Automated Accounting
184 System, which includes implementation and operation of
185 an imaging/electronic processing system and records
186 management.

187 (c) One Million One Hundred Ninety-eight Thousand Two
188 Hundred Thirty-six Dollars (\$1,198,236.00) for the
189 purpose of defraying the expenses of administration of
190 the Statewide Cost Allocation Plan, utilities for the
191 Capitol Complex, and Air Transport Services.

192 **SECTION 9.** It is the intention of the Legislature that the
193 Department of Finance and Administration shall maintain complete
194 accounting and personnel records related to the expenditure of all
195 funds appropriated under this act and that such records shall be
196 in the same format and level of detail as maintained for Fiscal
197 Year 2005. It is further the intention of the Legislature that
198 the agency's budget request for Fiscal Year 2007 shall be
199 submitted to the Joint Legislative Budget Committee in a format
200 and level of detail comparable to the format and level of detail
201 provided during the Fiscal Year 2006 budget request process.

202 **SECTION 10.** It is the intention of the Legislature that the
203 Executive Director of the Mississippi Department of Finance and
204 Administration may authorize increases in major objects of
205 expenditure in total amounts not to exceed twenty-five percent
206 (25%) of the appropriated amount of each major object of
207 expenditure, provided that other major objects of expenditure are
208 decreased by a corresponding dollar amount. However, no transfers
209 shall be authorized which increase the major object of expenditure
210 "Salaries, Wages and Fringe Benefits."

211 **SECTION 11.** The Department of Finance and Administration
212 shall have the authority to enter into leases with the vendors at
213 the property located in the northwest quadrant of the intersection
214 of Woodrow Wilson Avenue and West Street in Jackson, Mississippi,
215 commonly known as the Farmer's Market for a lease period not to
216 exceed two (2) years. The Department of Finance and Administration
217 is required to offer a lease agreement to each vendor that is
218 occupying lease space as of April 1, 2005, at said location. Only
219 those vendors which are current vendors of the Farmer's Market
220 located in the northwest quadrant of the intersection of Woodrow
221 Wilson Avenue and West Street in Jackson, Mississippi, at the time
222 of passage may enter into leases with the Department of Finance
223 and Administration. The funds derived from the rent proceeds of
224 said property shall be deposited in the Capital Facilities Rent

225 Fund (Fund 3131) in the State Treasury. The Department of Finance
226 and Administration shall not increase the rent charged to vendors.
227 It is the intention of the Legislature that the Department of
228 Finance and Administration is hereby authorized to escalate,
229 budget, and expend funds in an amount not to exceed Three Hundred
230 Thousand Dollars (\$300,000.00) and four (4) permanent positions
231 for costs associated with maintaining, repairing, providing
232 security, paying utilities, and related expenses for said
233 property. The escalation authority granted in this section shall
234 only be permitted with funds derived from rent revenues from
235 leases on said properties.

236 **SECTION 12.** The Department of Finance and Administration
237 shall transfer rent funds to the General Fund in an amount not
238 less than Two Million One Hundred Thousand Dollars
239 (\$2,100,000.00).

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

246 **SECTION 14.** This act shall take effect and be in force from
247 and after July 1, 2005.