

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

To: Appropriations

HOUSE BILL NO. 1578
(As Sent to Governor)

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF
3 COSMETOLOGY FOR THE FISCAL YEAR 2007.

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 Cosmetology, for the
8 purpose of defraying the expenses of the board for the fiscal year
9 beginning July 1, 2006, and ending June 30, 2007.....
10 \$ 751,045.00.

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

15 MAJOR OBJECTS OF EXPENDITURE:

16 Personal Services:

17	Salaries, Wages and Fringe Benefits..	\$	425,071.00
18	Travel and Subsistence.....		116,674.00
19	Contractual Services.....		182,730.00
20	Commodities.....		15,471.00
21	Capital Outlay:		
22	Other Than Equipment.....		0.00
23	Equipment.....		11,099.00
24	Subsidies, Loans and Grants.....		0.00
25	Total.....	\$	751,045.00

26 AUTHORIZED POSITIONS:

27 Permanent: Full Time..... 12

28	Part Time.....	0
29	Time-Limited: Full Time.....	0
30	Part Time.....	0

31 Funds are provided herein to adjust the Variable Compensation
32 Plan to ensure that all full-time employees receive a pay increase
33 equal to the realignment component of the Variable Compensation
34 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
35 with not more than one-half (1/2) to be awarded on July 1, 2006,
36 with the remainder to be awarded on January 1, 2007.

37 With the funds herein appropriated, it is the intention of
38 the Legislature that it shall be the agency's responsibility to
39 make certain that funds required to be appropriated for "Personal
40 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
41 funds appropriated for that purpose, unless programs or positions
42 are added to the agency's Fiscal Year 2008 budget by the
43 Mississippi Legislature. Based on data provided by the
44 Legislative Budget Office, the State Personnel Board shall
45 determine and publish the projected annual cost to fully fund all
46 appropriated positions in compliance with the provisions of this
47 act. It shall be the responsibility of the agency head to insure
48 that no single personnel action increases this projected annual
49 cost and/or the Fiscal Year 2007 appropriation for "Personal
50 Services" when annualized, with the exception of escalated funds.
51 If, at the time the agency takes any action to change "Personal
52 Services," the State Personnel Board determines that the agency
53 has taken an action which would cause the agency to exceed this
54 projected annual cost or the Fiscal Year 2007 "Personal Services"
55 appropriated level, when annualized, then only those actions which
56 reduce the projected annual cost and/or the appropriation
57 requirement will be processed by the State Personnel Board until
58 such time as the requirements of this provision are met.

59 Any transfers or escalations shall be made in accordance with
60 the terms, conditions and procedures established by law or

61 allowable under the terms set forth within this act. The State
62 Personnel Board shall not escalate positions without written
63 approval from the Department of Finance and Administration. The
64 Department of Finance and Administration shall not provide written
65 approval to escalate any funds for salaries and/or positions
66 without proof of availability of new or additional funds above the
67 appropriated level.

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

72 **SECTION 3.** If not needed for other purposes, the State
73 Treasurer shall invest any part of or all monies herein approved
74 and any surplus funds of the State Board of Cosmetology for a
75 period of ninety (90) days or more at the highest rate of interest
76 obtainable and credit such to this respective fund. Monies shall
77 be invested by the Treasurer in any short-term bonds, notes or
78 other direct obligations of the United States of America or the
79 State of Mississippi or any county or municipality of this state,
80 which county or municipal bonds have been approved by a reputable
81 bond attorney or have been validated by a decree of the court, or
82 in savings accounts or certificates of deposit of a state or
83 national bank in the State of Mississippi, or in federally insured
84 savings and loan associations in the State of Mississippi; and in
85 any event, the bonds, notes or obligations in which such funds are
86 invested shall mature or be redeemable prior to the time the funds
87 so invested will be needed for the purposes herein provided.

88 **SECTION 4.** It is the intent of this legislation to provide
89 the funds for the board to meet when necessary, but under no
90 circumstances shall it meet more than sixty-two (62) days a year.

91 **SECTION 5.** It is the intention of the Legislature that the
92 State Board of Cosmetology shall maintain complete accounting and
93 personnel records related to the expenditure of all funds

94 appropriated under this act and that such records shall be in the
95 same format and level of detail as maintained for Fiscal Year
96 2006. It is further the intention of the Legislature that the
97 agency's budget request for Fiscal Year 2008 shall be submitted to
98 the Joint Legislative Budget Committee in a format and level of
99 detail comparable to the format and level of detail provided
100 during the Fiscal Year 2007 budget request process.

101 **SECTION 6.** It is the intention of the Legislature that
102 whenever two (2) or more bids are received by this agency for the
103 purchase of commodities or equipment, and whenever all things
104 stated in such received bids are equal with respect to price,
105 quality and service, the Mississippi Industries for the Blind
106 shall be given preference. A similar preference shall be given to
107 the Mississippi Industries for the Blind whenever purchases are
108 made without competitive bids.

109 **SECTION 7.** In addition to all other sums herein
110 appropriated, the following sum, or so much thereof as may be
111 necessary is appropriated out of any funds in the State Treasury
112 to the credit of the State Board of Cosmetology, which is
113 comprised of any special funds collected by or otherwise available
114 to the board, for the purpose of defraying the expenses of the
115 board, for the fiscal year ending June 30, 2006.....
116 \$ 10,811.00.

117 **SECTION 8.** 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 9.** This act shall take effect and be in force from
124 and after July 1, 2006, with the exception of Section 7 which
125 shall take effect and be in force from and after passage.