MISSISSIPPI LEGISLATURE REGULAR SESSION 2006

By: Senator(s) Gordon, Little, Thames, Chaney, Davis, Kirby, Williamson, Dearing, Posey

To: Appropriations

SENATE BILL NO. 3012

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2007.

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

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the office of the State Treasurer for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 621,523.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the special fund entitled Abandoned Property Fund in the State Treasury for the purpose of defraying expenses of the State Treasurer in administering the Uniform Disposition of Unclaimed Property and certain other expenses of the office, for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 2,422,600.00.

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

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:	
Salaries, Wages and Fringe Benefits.. $	1,824,446.00
Travel and Subsistence.....	15,000.00
Contractual Services.....	1,051,677.00
Commodities.....	51,000.00

Capital Outlay:		
Other Than Equipment		0.00
Equipment		102,000.00
Subsidies, Loans and Grants		0.00
Total	$	3,044,123.00
FUNDING:		
General Funds	$	621,523.00
Special Funds		2,422,600.00
Total	$	3,044,123.00
AUTHORIZED POSITIONS:		
Permanent: Full Time		31
Part Time		0
Time-Limited: Full Time		0
Part Time		0

Funds are provided herein to adjust the Variable Compensation Plan to ensure that all full-time employees receive a pay increase equal to the realignment component of the Variable Compensation Plan or Twelve Hundred Dollars ($1,200.00), whichever is greater, beginning on July 1, 2006.

Pursuant to policies established by the State Personnel Board, agency heads may, on a case by case basis and within funds available, recommend equity salary adjustments to Fiscal Year 2006 agency appropriation acts where application of limitations result in awarding one employee a salary increase greater than another employee within the same agency, with the same job classification series and greater longevity.

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2008 budget by the Mississippi Legislature. Based on data provided by the

Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all 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 2007 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 2007 "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.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No.

3219 for the purpose of investing funds for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 125,000.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund to defray the costs of the Mississippi Prepaid Affordable College Tuition Program for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 1,274,028.00.

SECTION 6. Of the funds appropriated under the provisions of Section 5, not more than the amounts set forth below shall be expended for the respective major objects or purposes of expenditure:

MAJOR OBJECTS OF EXPENDITURE:			
Personal Services:			
Salaries, Wages and Fringe Benefits..		$	155,603.00
Travel and Subsistence.....			14,987.00
Contractual Services.....			1,065,306.00
Commodities.....			34,932.00
Capital Outlay:			
Other Than Equipment.....			0.00
Equipment.....			3,200.00
Subsidies, Loans and Grants.....			0.00
Total.....		$	1,274,028.00
AUTHORIZED POSITIONS:			
Permanent:	Full Time.....	4	
	Part Time.....	0	
Time-Limited:	Full Time.....	0	
	Part Time.....	0	

SECTION 7. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable

College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 18,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars ($1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Office of the State Treasurer-Health Care Trust Fund Board, for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 20,632.00.

SECTION 9. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, created under House Bill No. 519, 1999 Regular Session, for the purpose of defraying the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 79,385.00.

SECTION 10. Of the funds appropriated under the provisions of Sections 8 and 9, not more than the amounts set forth below shall be expended for the respective major objects or purposes of expenditure:

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits..	$	49,070.00
Travel and Subsistence.....		2,700.00
Contractual Services.....		46,247.00
Commodities.....		2,000.00
Capital Outlay:		
Other Than Equipment.....		0.00
Equipment.....		0.00
Subsidies, Loans and Grants.....		0.00
Total.....	$	100,017.00

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	1
	Part Time.....	0
Time-Limited:	Full Time.....	0
	Part Time.....	0

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Affordable College Savings Administrative Fund to defray the costs of the Mississippi Affordable College Savings Program for the fiscal year beginning July 1, 2006, and ending June 30, 2007..... $ 175,888.00.

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

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:		
Salaries, Wages and Fringe Benefits..	$	100,768.00
Travel and Subsistence.....		13,592.00
Contractual Services.....		57,663.00
Commodities.....		3,865.00
Capital Outlay:		
Other Than Equipment.....		0.00
Equipment.....		0.00

Subsidies, Loans and Grants..... 0.00

Total..... $ 175,888.00

AUTHORIZED POSITIONS:

Permanent: Full Time..... 2

Part Time..... 0

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

Part Time..... 0

SECTION 13. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 14. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2006. It is further the intention of the Legislature that the budget request for Fiscal Year 2008 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2007 budget request process.

SECTION 15. It is the intention of the Legislature that the State Treasurer's Office may authorize increases in major objects of expenditure in total amounts not to exceed fifteen percent (15%) of the appropriated amount of each major object of expenditure, provided that other major objects of expenditure are decreased by a corresponding dollar amount. However, no transfers shall be authorized which increase the major object of expenditure "Salaries, Wages and Fringe Benefits."

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2006.