

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

To: Appropriations

SENATE BILL NO. 3012
(As Sent to Governor)

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

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

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 State General Fund not otherwise appropriated, to defray the
7 expenses of the office of the State Treasurer for the fiscal year
8 beginning July 1, 2006, and ending June 30, 2007.....
9 \$ 613,673.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any funds in the special
12 fund entitled Abandoned Property Fund in the State Treasury for
13 the purpose of defraying expenses of the State Treasurer in
14 administering the Uniform Disposition of Unclaimed Property and
15 certain other expenses of the office, for the fiscal year
16 beginning July 1, 2006, and ending June 30, 2007.....
17 \$ 2,528,521.00.

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

22 MAJOR OBJECTS OF EXPENDITURE:

23 Personal Services:

24	Salaries, Wages and Fringe Benefits..	\$	1,911,117.00
25	Travel and Subsistence.....		15,000.00
26	Contractual Services.....		1,051,677.00
27	Commodities.....		51,000.00

28	Capital Outlay:		
29	Other Than Equipment.....		0.00
30	Equipment.....		113,400.00
31	Subsidies, Loans and Grants.....		<u>0.00</u>
32	Total.....	\$	3,142,194.00

33 FUNDING:

34	General Funds.....	\$	613,673.00
35	Special Funds.....		<u>2,528,521.00</u>
36	Total.....	\$	3,142,194.00

37 AUTHORIZED POSITIONS:

38	Permanent:	Full Time.....	33
39		Part Time.....	0
40	Time-Limited:	Full Time.....	0
41		Part Time.....	0

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

48 With the funds herein appropriated, it is the intention of
49 the Legislature that it shall be the agency's responsibility to
50 make certain that funds required to be appropriated for "Personal
51 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
52 funds appropriated for that purpose, unless programs or positions
53 are added to the agency's Fiscal Year 2008 budget by the
54 Mississippi Legislature. Based on data provided by the
55 Legislative Budget Office, the State Personnel Board shall
56 determine and publish the projected annual cost to fully fund all
57 appropriated positions in compliance with the provisions of this
58 act. It shall be the responsibility of the agency head to insure
59 that no single personnel action increases this projected annual
60 cost and/or the Fiscal Year 2007 appropriation for "Personal

61 Services" when annualized, with the exception of escalated funds.
62 If, at the time the agency takes any action to change "Personal
63 Services," the State Personnel Board determines that the agency
64 has taken an action which would cause the agency to exceed this
65 projected annual cost or the Fiscal Year 2007 "Personal Services"
66 appropriated level, when annualized, then only those actions which
67 reduce the projected annual cost and/or the appropriation
68 requirement will be processed by the State Personnel Board until
69 such time as the requirements of this provision are met.

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

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

83 **SECTION 4.** In addition to all other sums herein
84 appropriated, the following sum, or so much thereof as may be
85 necessary, is hereby appropriated out of any money in the State
86 Treasury to the credit of the Education Improvement Trust Fund No.
87 3219 for the purpose of investing funds for the fiscal year
88 beginning July 1, 2006, and ending June 30, 2007.....
89 \$ 125,000.00.

90 **SECTION 5.** The following sum, or so much thereof as may be
91 necessary, is hereby appropriated out of any money in the State
92 Treasury to the credit of the Mississippi Prepaid Affordable
93 College Tuition Administrative Fund to defray the costs of the

94 Mississippi Prepaid Affordable College Tuition Program for the
 95 fiscal year beginning July 1, 2006, and ending June 30, 2007.....
 96 \$ 1,299,017.00.

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

101 MAJOR OBJECTS OF EXPENDITURE:

102 Personal Services:

103	Salaries, Wages and Fringe Benefits..	\$	180,592.00
104	Travel and Subsistence.....		14,987.00
105	Contractual Services.....		1,065,306.00
106	Commodities.....		34,932.00
107	Capital Outlay:		
108	Other Than Equipment.....		0.00
109	Equipment.....		3,200.00
110	Subsidies, Loans and Grants.....		0.00
111	Total.....	\$	1,299,017.00

112 AUTHORIZED POSITIONS:

113	Permanent:	Full Time.....	4
114		Part Time.....	0
115	Time-Limited:	Full Time.....	0
116		Part Time.....	0

117 **SECTION 7.** The following sum, or so much thereof as may be
 118 necessary, is hereby appropriated out of any money in the State
 119 Treasury to the credit of the Mississippi Prepaid Affordable
 120 College Tuition Trust Fund for the purpose of paying all amounts
 121 due for prepaid tuition contracts of the Mississippi Prepaid
 122 Affordable College Tuition Program, for the fiscal year beginning
 123 July 1, 2006, and ending June 30, 2007..... \$ 18,000,000.00.

124 It is the intention of the Legislature that the State
 125 Treasurer is hereby authorized to accept, budget and expend an
 126 amount not to exceed One Million Dollars (\$1,000,000.00) from any

127 funds authorized for the Mississippi Prepaid Affordable College
128 Tuition Program, for paying amounts due for prepaid tuition
129 contracts of the Mississippi Prepaid Affordable College Tuition
130 Program. Such funds shall be escalated in accordance with the
131 rules and regulations of the Department of Finance and
132 Administration in a manner consistent with the escalation of
133 federal funds.

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

140 **SECTION 9.** The following sum, or so much thereof as may be
141 necessary, is hereby appropriated out of any money in the State
142 Treasury to the credit of the Health Care Expendable Fund, created
143 under House Bill No. 519, 1999 Regular Session, for the purpose of
144 defraying the expenses of the Office of the State Treasurer for
145 the fiscal year beginning July 1, 2006, and ending
146 June 30, 2007..... \$ 78,576.00.

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

151 MAJOR OBJECTS OF EXPENDITURE:

152 Personal Services:

153	Salaries, Wages and Fringe Benefits..	\$ 48,261.00
154	Travel and Subsistence.....	2,700.00
155	Contractual Services.....	46,247.00
156	Commodities.....	2,000.00

157 Capital Outlay:

158	Other Than Equipment.....	0.00
159	Equipment.....	0.00

160 Subsidies, Loans and Grants..... 0.00
 161 Total..... \$ 99,208.00

162 AUTHORIZED POSITIONS:

163 Permanent: Full Time..... 1
 164 Part Time..... 0
 165 Time-Limited: Full Time..... 0
 166 Part Time..... 0

167 **SECTION 11.** The following sum, or so much thereof as may be
 168 necessary, is hereby appropriated out of any money in the State
 169 Treasury to the credit of the Mississippi Affordable College
 170 Savings Administrative Fund to defray the costs of the Mississippi
 171 Affordable College Savings Program for the fiscal year beginning
 172 July 1, 2006, and ending June 30, 2007..... \$ 176,437.00.

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

177 MAJOR OBJECTS OF EXPENDITURE:

178 Personal Services:

179 Salaries, Wages and Fringe Benefits.. \$ 101,317.00
 180 Travel and Subsistence..... 13,592.00
 181 Contractual Services..... 57,663.00
 182 Commodities..... 3,865.00

183 Capital Outlay:

184 Other Than Equipment..... 0.00
 185 Equipment..... 0.00
 186 Subsidies, Loans and Grants..... 0.00
 187 Total..... \$ 176,437.00

188 AUTHORIZED POSITIONS:

189 Permanent: Full Time..... 2
 190 Part Time..... 0
 191 Time-Limited: Full Time..... 0
 192 Part Time..... 0

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

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

218 **SECTION 15.** It is the intention of the Legislature that the
219 State Treasurer's Office may authorize increases in major objects
220 of expenditure in total amounts not to exceed fifteen percent
221 (15%) of the appropriated amount of each major object of
222 expenditure, provided that other major objects of expenditure are
223 decreased by a corresponding dollar amount. However, no transfers
224 shall be authorized which increase the major object of expenditure
225 "Salaries, Wages and Fringe Benefits."

226 **SECTION 16.** It is the intention of the Legislature that
227 whenever two (2) or more bids are received by this agency for the
228 purchase of commodities or equipment, and whenever all things
229 stated in such received bids are equal with respect to price,
230 quality and service, the Mississippi Industries for the Blind
231 shall be given preference. A similar preference shall be given to
232 the Mississippi Industries for the Blind whenever purchases are
233 made without competitive bids.

234 **SECTION 17.** The money herein appropriated shall be paid by
235 the State Treasurer out of any money in the State Treasury to the
236 credit of the proper fund or funds as set forth in this act, upon
237 warrants issued by the State Fiscal Officer; and the State Fiscal
238 Officer shall issue his warrants upon requisitions signed by the
239 proper person, officer or officers in the manner provided by law.

240 **SECTION 18.** This act shall take effect and be in force from
241 and after July 1, 2006.