

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

To: Appropriations

SENATE BILL NO. 3115

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2008.

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, 2007, and ending June 30, 2008.....
9 \$ 11,996,503.00.

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, 2007, and ending June 30, 2008.....
16 \$ 29,491,068.00.

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.. \$ 20,804,619.00
24 Travel and Subsistence..... 270,169.00
25 Contractual Services..... 17,449,073.00
26 Commodities..... 1,297,437.00
27 Capital Outlay:

28	Other Than Equipment.....	6,219.00
29	Equipment.....	805,620.00
30	Vehicles.....	126,649.00
31	Wireless Communication Devices.....	150.00
32	Subsidies, Loans and Grants.....	<u>727,635.00</u>
33	Total..... \$	41,487,571.00

34 FUNDING:

35	General Funds..... \$	11,996,503.00
36	Special Funds.....	<u>29,491,068.00</u>
37	Total..... \$	41,487,571.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	387
40	Part Time.....	2
41	Time-Limited: Full Time.....	0
42	Part Time.....	0

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

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

55 **SECTION 4.** In addition to all other sums herein
56 appropriated, the following sum, or so much thereof as may be
57 necessary, is hereby appropriated out of any money in the special
58 fund in the State Treasury to the credit of the Tort Claims Fund
59 for the purpose of defraying the expenses of the Tort Claims Board

60 in the administration of the Tort Claims Act for the fiscal year
 61 beginning July 1, 2007, and ending June 30, 2008.....
 62 \$ 11,436,253.00.

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

67 MAJOR OBJECTS OF EXPENDITURE:

68 Personal Services:

69	Salaries, Wages and Fringe Benefits..	\$	672,083.00
70	Travel and Subsistence.....		17,400.00
71	Contractual Services.....		4,713,963.00
72	Commodities.....		6,800.00
73	Capital Outlay:		
74	Other Than Equipment.....		0.00
75	Equipment.....		3,000.00
76	Vehicles.....		0.00
77	Wireless Communication Devices.....		0.00
78	Subsidies, Loans and Grants.....		<u>6,023,007.00</u>
79	Total.....	\$	11,436,253.00

80 FUNDING:

81	General Funds.....	\$	0.00
82	Special Funds.....		<u>11,436,253.00</u>
83	Total.....	\$	11,436,253.00

84 AUTHORIZED POSITIONS:

85	Permanent:	Full Time.....	9
86		Part Time.....	0
87	Time-Limited:	Full Time.....	2
88		Part Time.....	0

89 With the funds herein appropriated, the Tort Claims Board is
 90 authorized to pay for expenses incurred in fiscal year 2003 in the
 91 amount of Fourteen Thousand Seven Hundred Sixty-eight Dollars and

92 Fifty-five Cents (\$14,768.55), payable to Gore, Kilpatrick, Purdie
93 and Metz, PLLC.

94 **SECTION 5.** In addition to all other sums herein
95 appropriated, the following sum or so much thereof as may be
96 necessary is hereby appropriated out of any money in the State
97 Treasury to the credit of the Medical Malpractice Fund for the
98 purpose of defraying the expenses of the Tort Claims Board in
99 administering the Medical Malpractice Insurance Availability Plan,
100 for the fiscal year beginning July 1, 2007, and ending
101 June 30, 2008..... \$ 158,482.00.

102 Of the funds appropriated under the provisions of this
103 section, not more than the amounts set forth below shall be
104 expended for the respective major objects or purposes of
105 expenditure:

106 MAJOR OBJECTS OF EXPENDITURE:

107 Personal Services:

108	Salaries, Wages and Fringe Benefits..	\$	0.00
109	Travel and Subsistence.....		10,000.00
110	Contractual Services.....		144,482.00
111	Commodities.....		1,000.00

112 Capital Outlay:

113	Other Than Equipment.....		0.00
114	Equipment.....		3,000.00
115	Vehicles.....		0.00
116	Wireless Communication Devices.....		0.00
117	Subsidies, Loans and Grants.....		<u>0.00</u>

118	Total.....	\$	158,482.00
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119 FUNDING:

120	General Funds.....	\$	0.00
121	Special Funds.....		<u>158,482.00</u>
122	Total.....	\$	158,482.00

123 AUTHORIZED POSITIONS:

124	Permanent:	Full Time.....	0
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125	Part Time.....	0
126	Time-Limited: Full Time.....	0
127	Part Time.....	0

128 **SECTION 6.** Funds are provided herein to adjust the Variable
129 Compensation Plan to ensure that all full-time employees receive a
130 pay increase equal to the realignment component of the Variable
131 Compensation Plan or One Thousand Dollars (\$1,000.00), or Three
132 Percent (3%) whichever is greater, to be awarded on July 1, 2007.

133 With the funds herein appropriated, it is the intention of
134 the Legislature that it shall be the agency's responsibility to
135 make certain that funds required to be appropriated for "Personal
136 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
137 funds appropriated for that purpose, unless programs or positions
138 are added to the agency's Fiscal Year 2009 budget by the
139 Mississippi Legislature. Based on data provided by the
140 Legislative Budget Office, the State Personnel Board shall
141 determine and publish the projected annual cost to fully fund all
142 appropriated positions in compliance with the provisions of this
143 act. It shall be the responsibility of the agency head to insure
144 that no single personnel action increases this projected annual
145 cost and/or the Fiscal Year 2008 appropriation for "Personal
146 Services" when annualized, with the exception of escalated funds.
147 If, at the time the agency takes any action to change "Personal
148 Services," the State Personnel Board determines that the agency
149 has taken an action which would cause the agency to exceed this
150 projected annual cost or the Fiscal Year 2008 "Personal Services"
151 appropriated level, when annualized, then only those actions which
152 reduce the projected annual cost and/or the appropriation
153 requirement will be processed by the State Personnel Board until
154 such time as the requirements of this provision are met.

155 Any transfers or escalations shall be made in accordance with
156 the terms, conditions and procedures established by law or
157 allowable under the terms set forth within this act. The State

158 Personnel Board shall not escalate positions without written
159 approval from the Department of Finance and Administration. The
160 Department of Finance and Administration shall not provide written
161 approval to escalate any funds for salaries and/or positions
162 without proof of availability of new or additional funds above the
163 appropriated level.

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

168 The agency shall not take any action to promote or otherwise
169 award salary increases through reallocation, reclassification,
170 realignment, education benchmark, career ladder, or any other
171 means to increase salaries of employees or positions unless
172 specifically exempted by the following conditions: the award of
173 teacher pay increases, the advancement of a trainee/cadet to the
174 next level of a bona fide career ladder, the award of an
175 educational benchmark for the attainment of Certified Public
176 Accountant License or higher level professional certification as
177 determined by the State Personnel Board, the immediate replacement
178 of a departing employee with an individual from within state
179 service or a new hire at a salary level equivalent to that of the
180 departing employee, and the emergency appointment of nurses,
181 pharmacists or other health care professionals at a salary to be
182 determined by the State Personnel Board, unless otherwise
183 authorized in this act.

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

189 **SECTION 8.** Of the funds appropriated under the provisions of
190 Section 2, the following amounts are authorized to be spent out of

191 the Statewide Cost Allocation Fund No. 3143 by the Department of
192 Finance and Administration:

193 (a) Three Hundred Seven Thousand Three Hundred Dollars
194 (\$307,300.00) for the purpose of defraying computer
195 expenses.

196 (b) Six Hundred Forty-three Thousand Seven Hundred
197 Eighty-eight Dollars (\$643,788.00) the purpose of
198 providing statewide accounting, payroll and document
199 management.

200 (c) Two Hundred Eleven Thousand Three Hundred Fifty-three
201 Dollars (\$211,353.00) for the purpose of defraying the
202 expenses of administration of the Statewide Cost
203 Allocation Plan.

204 **SECTION 9.** It is the intention of the Legislature that the
205 Department of Finance and Administration shall maintain complete
206 accounting and personnel records related to the expenditure of all
207 funds appropriated under this act and that such records shall be
208 in the same format and level of detail as maintained for Fiscal
209 Year 2007. It is further the intention of the Legislature that
210 the agency's budget request for Fiscal Year 2009 shall be
211 submitted to the Joint Legislative Budget Committee in a format
212 and level of detail comparable to the format and level of detail
213 provided during the Fiscal Year 2008 budget request process.

214 **SECTION 10.** It is the intention of the Legislature that the
215 Executive Director of the Mississippi Department of Finance and
216 Administration may authorize increases in major objects of
217 expenditure in total amounts not to exceed twenty-five percent
218 (25%) of the appropriated amount of each major object of
219 expenditure, provided that other major objects of expenditure are
220 decreased by a corresponding dollar amount. However, no transfers
221 shall be authorized which increase the major object of expenditure
222 "Salaries, Wages and Fringe Benefits."

223 **SECTION 11.** The department is authorized to expend available
224 funds on technology or equipment upgrades or replacements when it
225 will generate savings through efficiency or when the savings
226 generated from such upgrades or replacements exceed expenditures
227 thereof.

228 **SECTION 12.** It is the intention of the Legislature that
229 whenever two (2) or more bids are received by this agency for the
230 purchase of commodities or equipment, and whenever all things
231 stated in such received bids are equal with respect to price,
232 quality and service, the Mississippi Industries for the Blind
233 shall be given preference. A similar preference shall be given to
234 the Mississippi Industries for the Blind whenever purchases are
235 made without competitive bids.

236 **SECTION 13.** The following sum, or so much thereof as may be
237 necessary, is hereby reappropriated out of any money in the State
238 Treasury to the credit of the Budget Contingency Fund, to the
239 Department of Finance and Administration for the purpose of
240 reauthorizing the expenditure of Budget Contingency Funds, as
241 authorized in Senate Bill No. 3007, 2006 Regular Session, for the
242 fiscal year beginning July 1, 2007, and ending June 30, 2008 ...
243 \$ 500,000.00.

244 Notwithstanding the amount reappropriated under the
245 provisions of this section, in no event shall the amount expended
246 exceed the unexpended balance as of June 30, 2007.

247 **SECTION 14.** It is the intention of the Legislature that the
248 Department of Finance and Administration is hereby authorized to
249 escalate, budget and expend funds from any source, not to exceed
250 One Million Dollars (\$1,000,000.00), for the purpose of paying
251 utility expenses of state owned facilities, in accordance with
252 rules and regulations of the Department of Finance and
253 Administration in a manner consistent with the escalation of
254 federal funds.

255 **SECTION 15.** The money herein appropriated shall be paid by
256 the State Treasurer out of any money in the State Treasury to the
257 credit of the proper fund or funds as set forth in this act, upon
258 warrants issued by the State Fiscal Officer; and the State Fiscal
259 Officer shall issue his warrants upon requisitions signed by the
260 proper person, officer or officers, in the manner provided by law.

261 **SECTION 16.** This act shall take effect and be in force from
262 and after July 1, 2007.