

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

To: Appropriations

SENATE BILL NO. 3115
(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 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 \$ 12,216,179.00.

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 \$ 29,375,880.00.

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.. \$ 20,909,107.00
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.....	\$ 41,592,059.00

34 FUNDING:

35	General Funds.....	\$ 12,216,179.00
36	Special Funds.....	<u>29,375,880.00</u>
37	Total.....	\$ 41,592,059.00

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 \$ 11,439,317.00.

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..	\$	675,147.00
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.....	\$	11,439,317.00

80 FUNDING:

81	General Funds.....	\$	0.00
82	Special Funds.....		<u>11,439,317.00</u>
83	Total.....	\$	11,439,317.00

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.....		0.00

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

120	General Funds.....	\$	0.00
121	Special Funds.....		158,482.00
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 Five Hundred Dollars
132 (\$1,500.00), 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 2008 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 appropriations for "Personal
146 Services" when annualized, with the exception of escalated funds
147 and educational benchmarks. If, at the time the agency takes any
148 action to change "Personal Services," the State Personnel Board
149 determines that the agency has taken an action which would cause
150 the agency to exceed this projected annual cost or the Fiscal Year
151 2008 "Personal Services" appropriated level, when annualized, then
152 only those actions which reduce the projected annual cost and/or
153 the appropriation requirement will be processed by the State
154 Personnel Board until such time as the requirements of this
155 provision are met. On January 1, 2008, the State Personnel Board
156 will make adjustments to the structure side of the compliance



157 report based on data provided by the Legislative Budget Office in
158 order for agencies to award educational benchmarks.

159 Any transfers or escalations shall be made in accordance with
160 the terms, conditions and procedures established by law or
161 allowable under the terms set forth within this act. The State
162 Personnel Board shall not escalate positions without written
163 approval from the Department of Finance and Administration. The
164 Department of Finance and Administration shall not provide written
165 approval to escalate any funds for salaries and/or positions
166 without proof of availability of new or additional funds above the
167 appropriated level.

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

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

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

181 (a) Three Hundred Seven Thousand Three Hundred Dollars
182 (\$307,300.00) for the purpose of defraying computer expenses.

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

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



189 **SECTION 9.** It is the intention of the Legislature that the
190 Department of Finance and Administration shall maintain complete
191 accounting and personnel records related to the expenditure of all
192 funds appropriated under this act and that such records shall be
193 in the same format and level of detail as maintained for Fiscal
194 Year 2007. It is further the intention of the Legislature that
195 the agency's budget request for Fiscal Year 2009 shall be
196 submitted to the Joint Legislative Budget Committee in a format
197 and level of detail comparable to the format and level of detail
198 provided during the Fiscal Year 2008 budget request process.

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

208 **SECTION 11.** The department is authorized to expend available
209 funds on technology or equipment upgrades or replacements when it
210 will generate savings through efficiency or when the savings
211 generated from such upgrades or replacements exceed expenditures
212 thereof.

213 **SECTION 12.** It is the intention of the Legislature that
214 whenever two (2) or more bids are received by this agency for the
215 purchase of commodities or equipment, and whenever all things
216 stated in such received bids are equal with respect to price,
217 quality and service, the Mississippi Industries for the Blind
218 shall be given preference. A similar preference shall be given to
219 the Mississippi Industries for the Blind whenever purchases are
220 made without competitive bids.



221 **SECTION 13.** The following sum, or so much thereof as may be
222 necessary, is hereby reappropriated out of any money in the State
223 Treasury to the credit of the Budget Contingency Fund, to the
224 Department of Finance and Administration for the purpose of
225 reauthorizing the expenditure of Budget Contingency Funds, as
226 authorized in Senate Bill No. 3007, 2006 Regular Session, for the
227 fiscal year beginning July 1, 2007, and ending June 30, 2008
228 \$ 500,000.00.

229 Notwithstanding the amount reappropriated under the
230 provisions of this section, in no event shall the amount expended
231 exceed the unexpended balance as of June 30, 2007.

232 **SECTION 14.** It is the intention of the Legislature that the
233 Department of Finance and Administration is hereby authorized to
234 escalate, budget and expend funds from any source, not to exceed
235 One Million Dollars (\$1,000,000.00), for the purpose of paying
236 utility expenses of state-owned facilities, in accordance with
237 rules and regulations of the Department of Finance and
238 Administration in a manner consistent with the escalation of
239 federal funds.

240 **SECTION 15.** 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 16.** This act shall take effect and be in force from
247 and after July 1, 2007.

