

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 3120**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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, 2007, and ending June 30, 2008.....  
9 ..... \$           627,353.00.

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, 2007, and ending June 30, 2008.....  
17 ..... \$           2,463,212.00.

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..	\$	1,971,142.00
25	Travel and Subsistence.....		15,000.00
26	Contractual Services.....		996,723.00
27	Commodities.....		51,000.00
28	Capital Outlay:		
29	Other Than Equipment.....		0.00
30	Equipment.....		56,700.00
31	Vehicles.....		0.00
32	Wireless Communication Devices.....		0.00
33	Subsidies, Loans and Grants.....		<u>0.00</u>
34	Total.....	\$	3,090,565.00

35 FUNDING:

36	General Funds.....	\$	627,353.00
37	Special Funds.....		<u>2,463,212.00</u>
38	Total.....	\$	3,090,565.00

39 AUTHORIZED POSITIONS:

40	Permanent:		
	Full Time.....		33
41	Part Time.....		0
42	Time-Limited:		
	Full Time.....		0
43	Part Time.....		0

44 Funds are provided herein to adjust the Variable Compensation  
45 Plan to ensure that all full-time employees receive a pay increase  
46 equal to the realignment component of the Variable Compensation  
47 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
48 is greater.

49 With the funds herein appropriated, it is the intention of  
50 the Legislature that it shall be the agency's responsibility to  
51 make certain that funds required to be appropriated for "Personal  
52 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
53 funds appropriated for that purpose, unless programs or positions  
54 are added to the agency's Fiscal Year 2009 budget by the

55 Mississippi Legislature. Based on data provided by the  
56 Legislative Budget Office, the State Personnel Board shall  
57 determine and publish the projected annual cost to fully fund all  
58 appropriated positions in compliance with the provisions of this  
59 act. It shall be the responsibility of the agency head to insure  
60 that no single personnel action increases this projected annual  
61 cost and/or the Fiscal Year 2008 appropriation for "Personal  
62 Services" when annualized, with the exception of escalated funds.  
63 If, at the time the agency takes any action to change "Personal  
64 Services," the State Personnel Board determines that the agency  
65 has taken an action which would cause the agency to exceed this  
66 projected annual cost or the Fiscal Year 2008 "Personal Services"  
67 appropriated level, when annualized, then only those actions which  
68 reduce the projected annual cost and/or the appropriation  
69 requirement will be processed by the State Personnel Board until  
70 such time as the requirements of this provision are met.

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

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

84 The agency shall not take any action to promote or otherwise  
85 award salary increases through reallocation, reclassification,  
86 realignment, education benchmark, career ladder, or any other

87 means to increase salaries of employees or positions unless  
88 specifically exempted by the following conditions: the award of  
89 teacher pay increases, the advancement of a trainee/cadet to the  
90 next level of a bona fide career ladder, the award of an  
91 educational benchmark for the attainment of Certified Public  
92 Accountant License or higher level professional certification as  
93 determined by the State Personnel Board, the immediate replacement  
94 of a departing employee with an individual from within state  
95 service or a new hire at a salary level equivalent to that of the  
96 departing employee, and the emergency appointment of nurses,  
97 pharmacists or other health care professionals at a salary to be  
98 determined by the State Personnel Board, unless otherwise  
99 authorized in this act.

100       **SECTION 4.** In addition to all other sums herein  
101 appropriated, the following sum, or so much thereof as may be  
102 necessary, is hereby appropriated out of any money in the State  
103 Treasury to the credit of the Education Improvement Trust Fund No.  
104 3219 for the purpose of investing funds for the fiscal year  
105 beginning July 1, 2007, and ending June 30, 2008.....  
106 ..... \$           125,000.00.

107       **SECTION 5.** The following sum, or so much thereof as may be  
108 necessary, is hereby appropriated out of any money in the State  
109 Treasury to the credit of the Mississippi Prepaid Affordable  
110 College Tuition Administrative Fund to defray the costs of the  
111 Mississippi Prepaid Affordable College Tuition Program for the  
112 fiscal year beginning July 1, 2007, and ending June 30, 2008.....  
113 ..... \$       1,052,165.00.

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

118       MAJOR OBJECTS OF EXPENDITURE:

119	Personal Services:		
120	Salaries, Wages and Fringe Benefits..	\$	187,904.00
121	Travel and Subsistence.....		14,987.00
122	Contractual Services.....		812,742.00
123	Commodities.....		34,932.00
124	Capital Outlay:		
125	Other Than Equipment.....		0.00
126	Equipment.....		1,600.00
127	Vehicles.....		0.00
128	Wireless Communication Devices.....		0.00
129	Subsidies, Loans and Grants.....		0.00
130	Total.....	\$	1,052,165.00

131 AUTHORIZED POSITIONS:

132	Permanent:	Full Time.....	3
133		Part Time.....	0
134	Time-Limited:	Full Time.....	0
135		Part Time.....	0

136       **SECTION 7.** The following sum, or so much thereof as may be  
137 necessary, is hereby appropriated out of any money in the State  
138 Treasury to the credit of the Mississippi Prepaid Affordable  
139 College Tuition Trust Fund for the purpose of paying all amounts  
140 due for prepaid tuition contracts of the Mississippi Prepaid  
141 Affordable College Tuition Program, for the fiscal year beginning  
142 July 1, 2007, and ending June 30, 2008..... \$     18,000,000.00.

143       It is the intention of the Legislature that the State  
144 Treasurer is hereby authorized to accept, budget and expend an  
145 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
146 funds authorized for the Mississippi Prepaid Affordable College  
147 Tuition Program, for paying amounts due for prepaid tuition  
148 contracts of the Mississippi Prepaid Affordable College Tuition  
149 Program. Such funds shall be escalated in accordance with the  
150 rules and regulations of the Department of Finance and

151 Administration in a manner consistent with the escalation of  
152 federal funds.

153       **SECTION 8.** The following sum, or so much thereof as may be  
154 necessary, is hereby appropriated out of any money in the State  
155 General Fund not otherwise appropriated, to defray the expenses of  
156 the Office of the State Treasurer-Health Care Trust Fund Board,  
157 for the fiscal year beginning July 1, 2007, and ending  
158 June 30, 2008..... \$       43,028.00.

159       **SECTION 9.** The following sum, or so much thereof as may be  
160 necessary, is hereby appropriated out of any money in the State  
161 Treasury to the credit of the Health Care Expendable Fund, created  
162 under House Bill No. 519, 1999 Regular Session, for the purpose of  
163 defraying the expenses of the Office of the State Treasurer for  
164 the fiscal year beginning July 1, 2007, and ending  
165 June 30, 2008..... \$       58,995.00.

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

170       MAJOR OBJECTS OF EXPENDITURE:

171       Personal Services:

172           Salaries, Wages and Fringe Benefits..	\$	51,361.00
173           Travel and Subsistence.....		2,415.00
174           Contractual Services.....		46,247.00
175           Commodities.....		2,000.00

176       Capital Outlay:

177           Other Than Equipment.....		0.00
178           Equipment.....		0.00
179           Vehicles.....		0.00
180           Wireless Communication Devices.....		0.00
181           Subsidies, Loans and Grants.....		0.00

182           Total.....	\$	102,023.00
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183 AUTHORIZED POSITIONS:

184	Permanent:	Full Time.....	1
185		Part Time.....	0
186	Time-Limited:	Full Time.....	0
187		Part Time.....	0

188 **SECTION 11.** The following sum, or so much thereof as may be  
189 necessary, is hereby appropriated out of any money in the State  
190 Treasury to the credit of the Mississippi Affordable College  
191 Savings Administrative Fund to defray the costs of the Mississippi  
192 Affordable College Savings Program for the fiscal year beginning  
193 July 1, 2007, and ending June 30, 2008..... \$ 159,638.00.

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

198 MAJOR OBJECTS OF EXPENDITURE:

199 Personal Services:

200	Salaries, Wages and Fringe Benefits..	\$ 93,268.00
201	Travel and Subsistence.....	13,592.00
202	Contractual Services.....	48,913.00
203	Commodities.....	3,865.00

204 Capital Outlay:

205	Other Than Equipment.....	0.00
206	Equipment.....	0.00
207	Vehicles.....	0.00
208	Wireless Communication Devices.....	0.00
209	Subsidies, Loans and Grants.....	<u>0.00</u>
210	Total.....	\$ 159,638.00

211 AUTHORIZED POSITIONS:

212	Permanent:	Full Time.....	2
213		Part Time.....	0
214	Time-Limited:	Full Time.....	0

215 Part Time..... 0

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

231 **SECTION 14.** It is the intention of the Legislature that the  
232 Office of the State Treasurer shall maintain complete accounting  
233 and personnel records related to the expenditure of all funds  
234 appropriated under the provisions of this act and that such  
235 records shall be in the same format and level of details as  
236 maintained for Fiscal Year 2007. It is further the intention of  
237 the Legislature that the budget request for Fiscal Year 2009 shall  
238 be submitted to the Joint Legislative Budget Committee in a format  
239 and level of detail comparable to the format and level of detail  
240 provided during the Fiscal Year 2008 budget request process.

241 **SECTION 15.** It is the intention of the Legislature that the  
242 State Treasurer's Office may authorize increases in major objects  
243 of expenditure in total amounts not to exceed fifteen percent  
244 (15%) of the appropriated amount of each major object of  
245 expenditure, provided that other major objects of expenditure are  
246 decreased by a corresponding dollar amount. However, no transfers



247 shall be authorized which increase the major object of expenditure  
248 "Salaries, Wages and Fringe Benefits."

249         **SECTION 16.** It is the intention of the Legislature that  
250 whenever two (2) or more bids are received by this agency for the  
251 purchase of commodities or equipment, and whenever all things  
252 stated in such received bids are equal with respect to price,  
253 quality and service, the Mississippi Industries for the Blind  
254 shall be given preference. A similar preference shall be given to  
255 the Mississippi Industries for the Blind whenever purchases are  
256 made without competitive bids.

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

263         **SECTION 18.** This act shall take effect and be in force from  
264 and after July 1, 2007.