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Chapter No. 508  
11/HR40/R1474SG  
CT 120

# ***HOUSE BILL NO. 1095***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1095

AN ACT TO AMEND SECTION 20 OF CHAPTER 76, LAWS OF 2010, TO CORRECT AN ERROR IN THE NUMBER OF AUTHORIZED FULL-TIME PERMANENT POSITIONS FOR THE BUREAU OF PARKS AND RECREATION OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR FISCAL YEAR 2011; TO AMEND SECTION 3 OF CHAPTER 57, LAWS OF 2010, TO INCREASE THE NUMBER OF AUTHORIZED FULL-TIME PERMANENT POSITIONS FOR THE DIVISION OF MEDICAL EXAMINER OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2011; TO AMEND SECTION 4 OF CHAPTER 42, LAWS OF 2010, TO DECREASE THE AMOUNT FOR THE CENTER FOR ADVANCED VEHICULAR SYSTEM AND TO PROVIDE FUNDS FOR THE MISSISSIPPI TECHNOLOGY ALLIANCE FOR FISCAL YEAR 2011; TO RENAME THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION BUILDING IN JACKSON, HINDS COUNTY, MISSISSIPPI, THE "WILLIAM J. 'BILLY' MCCOY BUILDING"; TO NAME THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY BUILDING IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "HALEY R. BARBOUR BUILDING"; TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY'S HIGHWAY PATROL DISTRICT OFFICE IN MERIDIAN, LAUDERDALE COUNTY, MISSISSIPPI, THE "CHARLES L. YOUNG, SR., DISTRICT OFFICE"; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 20 of Chapter 76, Laws of 2010, is amended as follows:

Section 20. Of the funds appropriated in Section 1, it is the intention of the Legislature that the following amount shall be available to defray the expenses of the Bureau of Parks and Recreation:

General Funds ..... \$ 4,159,098.00

Of the positions authorized in Section 5, it is the intention of the Legislature that the following positions are provided to the Bureau of Parks and Recreation:

Permanent:	Full Time .....	<u>232</u>
	Part Time .....	88
Time-Limited:	Full Time .....	0
	Part Time .....	0

**SECTION 2.** Section 3 of Chapter 57, Laws of 2010, is amended as follows:

Section 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be provided for purposes of expenditure and authorized positions:

**DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL**

Of the funds appropriated under the provisions of this act, not more than the following amount shall be expended for Salaries, Wages and Fringe Benefits ..... \$ 53,901,192.00

FUNDING:

General Funds .....	\$ 45,384,307.00
Special Funds .....	<u>31,283,237.00</u>
Total .....	\$ 76,667,544.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	910
	Part Time .....	0
Time-Limited:	Full Time .....	16
	Part Time .....	3

**DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

Of the funds appropriated under the provisions of this act, not more than the following amount shall be expended for Salaries, Wages and Fringe Benefits ..... \$ 866,107.00

FUNDING:

General Funds .....	\$ 470,560.00
Special Funds .....	<u>1,324,491.00</u>
Total .....	\$ 1,795,051.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	17
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

**DIVISION OF SUPPORT SERVICES**

Of the funds appropriated under the provisions of this act,  
 not more than the following amount shall be expended for Salaries,  
 Wages and Fringe Benefits ..... \$ 4,567,239.00

FUNDING:

General Funds ..... \$ 3,451,423.00  
 Special Funds ..... 5,176,247.00  
 Total ..... \$ 8,627,670.00

AUTHORIZED POSITIONS:

Permanent: Full Time ..... 62  
                   Part Time ..... 0  
 Time-Limited: Full Time ..... 1  
                   Part Time ..... 0

**DIVISION OF CRIME LABORATORIES**

Of the funds appropriated under the provisions of this act,  
 not more than the following amount shall be expended for Salaries,  
 Wages and Fringe Benefits ..... \$ 7,420,266.00

FUNDING:

General Funds ..... \$ 6,974,749.00  
 Special Funds ..... 1,708,805.00  
 Total ..... \$ 8,683,554.00

AUTHORIZED POSITIONS:

Permanent: Full Time ..... 92  
                   Part Time ..... 0  
 Time-Limited: Full Time ..... 8  
                   Part Time ..... 0

**DIVISION OF MEDICAL EXAMINER**

Of the funds appropriated under the provisions of this act,  
 not more than the following amount shall be expended for Salaries,  
 Wages and Fringe Benefits ..... \$ 483,610.00

FUNDING:

General Funds ..... \$ 446,885.00  
 Special Funds ..... 296,505.00  
 Total ..... \$ 743,390.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	<u>5</u>
	Part Time .....	0
Time-Limited:	Full Time .....	2
	Part Time .....	0

**DIVISION OF PUBLIC SAFETY PLANNING**

**OFFICE OF PUBLIC SAFETY PLANNING**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits ..... \$ 2,126,055.00

FUNDING:

General Funds .....	\$ 363,536.00
Special Funds .....	<u>32,599,230.00</u>
Total .....	\$ 32,962,766.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	9
	Part Time .....	0
Time-Limited:	Full Time .....	30
	Part Time .....	0

**DIVISION OF PUBLIC SAFETY PLANNING**

**OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits ..... \$ 304,504.00

FUNDING:

General Funds .....	\$ 0.00
Special Funds .....	<u>2,412,028.00</u>
Total .....	\$ 2,412,028.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	6
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

**DIVISION OF PUBLIC SAFETY PLANNING  
BOARD OF EMERGENCY TELECOMMUNICATIONS**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits ..... \$ 101,325.00

FUNDING:

General Funds .....	\$	0.00
Special Funds .....		<u>541,810.00</u>
Total .....	\$	541,810.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	2	
	Part Time .....	0	
Time-Limited:	Full Time .....	0	
	Part Time .....	0	

**DIVISION OF PUBLIC SAFETY PLANNING  
COUNCIL ON AGING**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits ..... \$ 108,832.00

FUNDING:

General Funds .....	\$	0.00
Special Funds .....		<u>402,661.00</u>
Total .....	\$	402,661.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	2	
	Part Time .....	0	
Time-Limited:	Full Time .....	0	
	Part Time .....	0	

**COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits ..... \$ 52,287.00

FUNDING:

General Funds .....	\$	0.00
Special Funds .....		<u>362,235.00</u>
Total .....	\$	362,235.00

AUTHORIZED POSITIONS:

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

**OFFICE OF HOMELAND SECURITY**

Of the funds appropriated under the provisions of this act, not more than the following amount shall be expended for Salaries,

Wages and Fringe Benefits .....	\$	959,986.00
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FUNDING:

General Funds .....	\$	164,162.00
Special Funds .....		<u>20,528,876.00</u>
Total .....	\$	20,693,038.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	11
	Part Time .....	0
Time-Limited:	Full Time .....	5
	Part Time .....	0

**BUREAU OF NARCOTICS**

Of the funds appropriated under the provisions of this act, not more than the following amount shall be expended for Salaries,

Wages and Fringe Benefits .....	\$	10,403,325.00
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FUNDING:

General Funds .....	\$	10,782,361.00
Special Funds .....		<u>1,793,814.00</u>
Total .....	\$	12,576,175.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	152
	Part Time .....	0
Time-Limited:	Full Time .....	15

Part Time ..... 0

**JUVENILE FACILITY MONITORING UNIT**

Of the funds appropriated under the provisions of this act,  
not more than the following amount shall be expended for Salaries,  
Wages and Fringe Benefits ..... \$ 160,630.00

FUNDING:

General Funds ..... \$ 102,098.00  
Special Funds ..... 246,289.00  
Total ..... \$ 348,387.00

AUTHORIZED POSITIONS:

Permanent: Full Time ..... 0  
                  Part Time ..... 0  
Time-Limited: Full Time ..... 3  
                  Part Time ..... 0

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 2012 do not exceed Fiscal Year 2011 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2011 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 2011 appropriations 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 2011 "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.

Unless otherwise authorized in this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation, reclassification, realignment, educational benchmark, career ladder, equity salary adjustment, or any other means to increase salaries of employees or positions unless specifically exempted by the following conditions: the award of teacher salary increments; the advancement of a trainee/cadet to the next level of a bona fide career ladder; the award of an educational benchmark for the attainment of a Certified Public Accountant License or higher level professional certification based on information provided to the State Personnel Board by the Legislative Budget Office; the immediate replacement of a departing employee with an employee from within state service at a salary level of the departing employee or the Fiscal Year 2011 promotional formula, whichever is less; the emergency appointment of nurses, pharmacists or other health care and child protection professionals at a salary to be determined by the State Personnel Board; or a new hire associated with the American Recovery and Reinvestment Act of 2009. All positions supported by funds available through the American Recovery and Reinvestment Act of 2009 shall be designated as time-limited positions.

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 3.** Section 4 of Chapter 42, Laws of 2010, is amended as follows:

Section 4. Of the funds appropriated under the provisions of Sections 1 and 2 hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Executive Office of the Board of Trustees for the sum of .....	\$ 6,861,802.00.
Center for Advanced Vehicular Systems .....	\$ <u>3,426,291.00.</u>
<u>Mississippi Technology Alliance</u> .....	\$ <u>500,000.00.</u>
Mississippi State Chemical Laboratory for the sum of .....	\$ 1,709,315.00.
Mississippi Water Resources Institute for the sum of .....	\$ 120,531.00.
Mississippi Law Research Institute for the sum of .....	\$ 829,232.00.
Mississippi Mineral Resources Institute for the sum of .....	\$ 423,586.00.
Research Institute of Pharmaceutical Sciences for the sum of .....	\$ 3,208,655.00.
Jackson State University Urban Research Center for the sum of .....	\$ 502,407.00.
Gulf Coast Research Laboratory for the sum of .....	\$ 3,255,104.00.
Supercomputer for the sum of .....	\$ 727,661.00.
Mississippi Polymer Institute for the sum of .....	\$ 692,525.00.

Mississippi Small Business Development Center for the sum of .....	\$ 250,984.00.
Stennis Space Center - Center for Higher Learning for the sum of .....	\$ 444,485.00.
Stennis Institute of Government for the sum of .....	\$ 965,739.00.
Commission for Volunteer Services for the sum of .....	\$ 363,913.00.
Center for Manufacturing Excellence for the sum of .....	\$ 826,132.00.
(b) From Special Funds, for the support of:	
Executive Office of the Board of Trustees for the sum of .....	\$ 33,919,510.00.
Mississippi State Chemical Laboratory for the sum of .....	\$ 486,023.00.
Mississippi Law Research Institute for the sum of .....	\$ 839,587.00.
Mississippi Mineral Resources Institute for the sum of .....	\$ 2,937,053.00.
Research Institute of Pharmaceutical Sciences for the sum of .....	\$ 10,728,353.00.
Gulf Coast Research Laboratory for the sum of .....	\$ 2,267,500.00.
Mississippi State University-Alcohol Safety for the sum of .....	\$ 1,304,761.00.
Mississippi Small Business Development Center for the sum of .....	\$ 967,430.00.
Commission for Volunteer Services for the sum of .....	\$ 29,423,283.00.
Center for Manufacturing Excellence for the sum of .....	\$ 8,457,770.00.

Of the funds appropriated under the provisions of Section 1,  
and allocated to the Gulf Coast Research Laboratory, the Board of

Trustees of State Institutions of Higher Learning shall allocate for Sea Grants matching One Hundred Seventy-five Thousand Dollars (\$175,000.00) for the Fiscal Year 2011.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that 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.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

**SECTION 4.** The Mississippi Department of Transportation Building, located at 401 North West Street in Jackson, Hinds County, Mississippi, shall be renamed the "William J. 'Billy' McCoy Building." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state of the Honorable William J. "Billy" McCoy. The Department of Finance and

Administration in conjunction with the Mississippi Department of Transportation shall erect or cause to be erected proper lettering or signage on the eastern outdoor facade of the building facing North West Street displaying the official name of the building as the "William J. 'Billy' McCoy Building."

**SECTION 5.** The Mississippi Emergency Management Agency Building, located at 1 Mema Drive in Pearl, Rankin County, Mississippi, shall be named the "Haley R. Barbour Building." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state of the Honorable Governor Haley R. Barbour. The Department of Finance and Administration in conjunction with the Mississippi Emergency Management Agency shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "Haley R. Barbour Building."

**SECTION 6.** The Mississippi Department of Public Safety's Highway Patrol District Office, located in Meridian, Lauderdale County, Mississippi, which serves as the command center for Troop H of the Mississippi Highway Patrol, shall be named the "Charles L. Young, Sr., District Office." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state of the Honorable Charles L. Young, Sr. The Department of Finance and Administration in conjunction with the Mississippi Department of Public Safety's Highway Patrol Division shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "Charles L. Young, Sr., District Office."

**SECTION 7.** This act shall take effect and be in force from and after its passage, except for Sections 4, 5 and 6, which shall take effect and be in force from and after July 1, 2011.

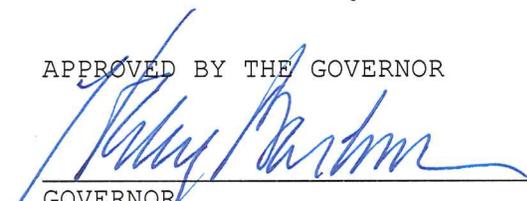
PASSED BY THE HOUSE OF REPRESENTATIVES  
April 4, 2011

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 4, 2011

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR  
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