

SENATE BILL NO. 2688
(As Sent to Governor)

1 AN ACT TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER CERTAIN
2 SUMS TO THE BUDGET CONTINGENCY FUND DURING FISCAL YEAR 2010 FOR
3 THE PURPOSE OF PROVIDING FUNDS TO RESTORE A PORTION OF THE BUDGET
4 CUTS MADE TO CERTAIN AGENCIES DURING FISCAL YEAR 2010; TO DIRECT
5 THE STATE FISCAL OFFICER TO TRANSFER SPECIFIED SUMS TO CERTAIN
6 AGENCIES FROM THE AMOUNT TRANSFERRED TO THE BUDGET CONTINGENCY
7 FUND; TO AUTHORIZE THE AGENCIES TO WHICH THE FUNDS ARE TRANSFERRED
8 TO ESCALATE THEIR BUDGETS AND EXPEND THOSE FUNDS FOR THE PURPOSES
9 AUTHORIZED BY LAW, SUBJECT TO CERTAIN CONDITIONS; TO DIRECT THE
10 STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM TO THE SCHOOL
11 DISTRICT EMERGENCY ASSISTANCE FUND AND TO AUTHORIZE THE STATE
12 DEPARTMENT OF EDUCATION TO ESCALATE THE APPROPRIATE BUDGET BY THAT
13 AMOUNT AND EXPEND THAT SUM FOR THE PURPOSES AUTHORIZED BY LAW,
14 SUBJECT TO CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** (1) For the purpose of providing funds to
17 restore a portion of the reductions in allocations of funds to the
18 agencies listed in subsection (2) of this section made by the
19 State Fiscal Officer under Section 27-104-13 during fiscal year
20 2010, the State Fiscal Officer shall transfer to the Budget
21 Contingency Fund during fiscal year 2010, out of the following
22 enumerated funds, the amounts listed below from each fund:

23	AGENCY/FUND	FUND NO.	AMOUNT
24	Health Care Expendable Fund	3989	\$69,000,000.00
25	Public Service Commission	3811	5,000,000.00
26	Department of Education -		
27	Mississippi Adequate		
28	Education Program	2230	5,000,000.00
29	TOTAL		\$79,000,000.00

30 (2) From the funds transferred to the Budget Contingency
31 Fund under subsection (1) of this section, the State Fiscal

32	Officer shall transfer the following specified sums to the	
33	agencies listed below:	
34	AGENCY	AMOUNT
35	District attorneys and staff	\$ 1,410,752.00
36	State Tax Commission	1,000,000.00
37	Education, Department of:	
38	National Board Certification	1,925,453.00
39	Education, Department of:	
40	Chickasaw Cession counties	1,065,539.00
41	Education, Department of:	
42	General education programs	611,782.00
43	Education, Department of:	
44	Mississippi Adequate Education Program	33,908,173.00
45	Educational Television, Authority for	195,621.00
46	Library Commission	293,432.00
47	IHL - Universities - general support	2,000,000.00
48	IHL - Ayers funding	2,126,192.00
49	IHL - Student financial aid	2,474,449.00
50	IHL - University of Mississippi Medical Center	2,000,000.00
51	IHL - ASU - Agricultural programs	139,384.00
52	IHL - MSU - Agricultural and	
53	Forestry Experiment Station	590,141.00
54	IHL - MSU - Cooperative Extension Service	732,182.00
55	IHL - MSU - Forest and Wildlife Research Center	148,061.00
56	IHL - MSU - Veterinary Medicine, College of	385,784.00
57	Community and junior colleges - support	4,000,000.00
58	Health, State Department of	2,000,000.00
59	Mental Health, Department of	4,000,000.00
60	Corrections, Department of	1,000,000.00
61	Human Services, Department of	3,000,000.00
62	Rehabilitation Services, Department of	200,000.00
63	Military Department	61,856.00
64	Public Safety, Department of:	

65	Crime Laboratory	45,421.00
66	Public Safety, Department of:	
67	Highway Safety Patrol Division	765,198.00
68	Public Safety, Department of:	
69	Bureau of Narcotics	69,947.00
70	Veterans' Affairs Board	1,173,727.00
71	Department of Finance and Administration:	
72	Property insurance	7,100,000.00
73	Department of Finance and Administration:	
74	Cost allocation due federal government	3,300,000.00
75	Attorney General:	
76	Judgments and settlements	1,276,906.00
77	TOTAL	\$ 79,000,000.00

78 (3) The agencies listed in subsection (2) of this section
79 are authorized to escalate their budgets by the respective amounts
80 specified for each agency and expend those sums for the purposes
81 authorized by law, subject to the following provisions:

82 (a) The Department of Public Safety shall not be
83 authorized to transfer any funds from the budgets of the Crime
84 Laboratory, Highway Safety Patrol Division and the Bureau of
85 Narcotics to any other budget of the department.

86 (b) Two Million Dollars (\$2,000,000.00) of the amount
87 provided to the Department of Mental Health under this section
88 shall be used by the department to provide Medicaid matching funds
89 for the community mental health centers.

90 **SECTION 2.** (1) During fiscal year 2010, the State Fiscal
91 Officer shall transfer to the Budget Contingency Fund, out of the
92 following enumerated funds, the amounts listed below from each
93 fund:

94	AGENCY/FUND	FUND NO.	AMOUNT
95	Drug Court Fund	3060	\$ 900,000.00
96	Youth Court Support Fund	3062	800,000.00
97	TOTAL		\$1,700,000.00

98 (2) From the funds transferred to the Budget Contingency
99 Fund under subsection (1) of this section, the State Fiscal
100 Officer shall transfer the following specified sums to the
101 agencies listed below:

102	AGENCY	AMOUNT
103	Supreme Court	\$ 567,300.00
104	Court of Appeals	203,700.00
105	Trial judges	929,000.00
106	TOTAL	\$1,700,000.00

107 (3) The agencies listed in subsection (2) of this section
108 are authorized to escalate their budgets by the respective amounts
109 specified for each agency and expend those sums for the purposes
110 authorized by law.

111 **SECTION 3.** (1) During fiscal year 2010, the State Fiscal
112 Officer shall transfer to the School District Emergency Assistance
113 Fund created in Section 37-17-6(14) (b) the sum of One Million
114 Dollars (\$1,000,000.00) from the Mississippi Adequate Education
115 Program budget of the State Department of Education (Fund No.
116 2230). The department is authorized to escalate the appropriate
117 budget by the amount specified in this section and expend that sum
118 for the purposes authorized by law, subject to the following
119 provision:

120 No funds provided in this section shall be expended by the
121 State Department of Education for the support of a school district
122 in which the Governor has declared a state of emergency until the
123 State Board of Education has appointed and assigned an interim
124 conservator to the school district. The department shall provide
125 to the House and Senate Education Committees and the House and
126 Senate Appropriations Committees a monthly report of all
127 expenditures that it makes for the support of a school district
128 from the funds provided in this section during the period that the
129 school district is administered, managed and operated by an
130 interim conservator.

131 **SECTION 4.** This act shall take effect and be in force from
132 and after its passage.

