

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.

