

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 1779

By Senator(s) Committee

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 Treasury to the credit of the Public Service Commission Regulation
8 Fund, for the purpose of defraying the expenses of the Mississippi
9 Public Service Commission for the fiscal year beginning
10 July 1, 2002, and ending June 30, 2003.....
11 \$ 9,926,840.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of
13 Section 1, not more than the amounts set forth below shall be
14 expended for the respective major objects or purposes of
15 expenditure:

16 MAJOR OBJECTS OF EXPENDITURE:

17 Personal Services:

18 Salaries, Wages and Fringe Benefits..	\$ 6,151,507.00
19 Travel and Subsistence.....	690,600.00
20 Contractual Services.....	1,787,207.00
21 Commodities.....	375,110.00
22 Capital Outlay:	
23 Other Than Equipment.....	0.00
24 Equipment.....	914,416.00

25	Subsidies, Loans and Grants.....	<u>8,000.00</u>
26	Total.....	\$ 9,926,840.00

27 AUTHORIZED POSITIONS:

28	Permanent: Full Time.....	135
29	Part Time.....	1
30	Time-Limited: Full Time.....	0
31	Part Time.....	0

32 Funds are provided herein to adjust the Variable Compensation
33 Plan to ensure that all full-time employees receive a pay increase
34 equal to fifty percent (50%) of the realignment component of the
35 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
36 whichever is greater, beginning on January 1, 2003.

37 With the funds herein appropriated, it is the intention of
38 the Legislature that it shall be the agency's responsibility to
39 make certain that funds required to be appropriated for "Personal
40 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
41 funds appropriated for that purpose, unless programs, positions or
42 pay increases are added to the agency's budget by the Mississippi
43 Legislature. Based on data provided by the Legislative Budget
44 Office, the State Personnel Board shall, on July 1, 2002, publish
45 separate annual projection reports, based on July 1, 2002 data,
46 for the period of July 1, 2002 through December 31, 2002, and
47 January 1, 2003 through June 30, 2003, that project the annual
48 cost to fully fund all appropriated positions in compliance with
49 the provisions of this act. It shall be the responsibility of the
50 agency head to ensure that no single personnel action increases
51 this projected cost and/or the Fiscal Year 2003 appropriation for
52 "Personal Services," as annualized on a semi-annual basis in
53 accordance with the provisions of this act. If, at the end of any
54 calendar month, the State Personnel Board determines that the
55 agency has taken action(s) which would cause the agency to exceed
56 this projected annual cost or the Fiscal Year 2003 "Personal
57 Services" appropriated level, when annualized in compliance with
58 the provisions of this act, then only those actions which reduce
59 the projected annual cost and/or the appropriation requirement

60 will be processed by the State Personnel Board until such time as
61 the requirements of this provision are met.

62 Any transfers or escalations shall be made in accordance with
63 the terms, conditions and procedures established by law.

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

68 **SECTION 3.** None of the funds herein appropriated by this act
69 to the Public Service Commission shall be expended for any purpose
70 that is not actually required or necessary for performing any of
71 the powers or duties of the Mississippi Public Service Commission
72 that are authorized by the Mississippi Constitution of 1890, state
73 or federal law, or rules or regulations that implement state or
74 federal law.

75 **SECTION 4.** It is the intention of the Legislature that the
76 Public Service Commission shall have the authority to escalate and
77 expend funds from any proceeds arising from participation in drug
78 seizure activities not to exceed Fifty Thousand Dollars
79 (\$50,000.00), in accordance with the rules and regulations of the
80 Department of Finance and Administration.

81 **SECTION 5.** It is the intention of the Legislature that with
82 the funds provided herein, overtime may be paid to PSC-Enforcement
83 Office Regulated Carrier positions, the PSC-Enforcement Officer
84 Chief position, PSC-Enforcement Officer District Supervisor
85 positions, PSC-Special Projects Officer IV position, and
86 PSC-Training Director position.

87 **SECTION 6.** The money herein appropriated shall be paid by
88 the State Treasurer out of any money in the State Treasury to the
89 credit of the proper fund or funds as set forth in this act, upon
90 warrants issued by the State Fiscal Officer; and the State Fiscal
91 Officer shall issue his warrants upon requisitions signed by the
92 proper person, officer or officers, in the manner provided by law.

93 **SECTION 7.** This act shall take effect and be in force from
94 and after July 1, 2002.