

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

**Senate Bill NO. 2956**

**By Representative(s) Committee**

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

5       **SECTION 1.** The following sum of money, or so much thereof as  
6 may be necessary, is hereby appropriated out of any money in the  
7 State Treasury to the credit of the State Department of Banking  
8 and Consumer Finance, for the support of the State Department of  
9 Banking and Consumer Finance, for the fiscal year beginning  
10 July 1, 2003, and ending June 30, 2004.....  
11 ..... \$       4,819,747.00.

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..	\$	2,988,037.00
19           Travel and Subsistence.....		877,000.00
20           Contractual Services.....		681,460.00
21           Commodities.....		50,700.00
22       Capital Outlay:		
23           Other Than Equipment.....		0.00
24           Equipment.....		222,550.00

25           Subsidies, Loans and Grants.....                     0.00  
 26           Total..... \$       4,819,747.00

27    AUTHORIZED POSITIONS:

28           Permanent:       Full Time.....               58  
 29                               Part Time.....                0  
 30           Time-Limited: Full Time.....                0  
 31                               Part Time.....                0

32           With the funds herein appropriated, it is the intention of  
 33 the Legislature that it shall be the agency's responsibility to  
 34 make certain that funds required to be appropriated for "Personal  
 35 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
 36 funds appropriated for that purpose, unless programs or positions  
 37 are added to the agency's Fiscal Year 2005 budget by the  
 38 Mississippi Legislature. Based on data provided by the  
 39 Legislative Budget Office, the State Personnel Board shall  
 40 determine and publish the projected annual cost to fully fund all  
 41 appropriated positions in compliance with the provisions of this  
 42 act. It shall be the responsibility of the agency head to insure  
 43 that no single personnel action increases this projected annual  
 44 cost and/or the Fiscal Year 2004 appropriation for "Personal  
 45 Services" when annualized. If, at the end of any calendar month,  
 46 the State Personnel Board determines that the agency has taken  
 47 action(s) which would cause the agency to exceed this projected  
 48 annual cost or the Fiscal Year 2004 "Personal Services"  
 49 appropriated level, when annualized, then only those actions which  
 50 reduce the projected annual cost and/or the appropriation  
 51 requirement will be processed by the State Personnel Board until  
 52 such time as the requirements of this provision are met.

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

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

59           **SECTION 3.** Of the funds appropriated under the provisions of

60 Section 1 and allocated in Section 2, funds in the amount of One  
61 Hundred Fifty-two Thousand Seven Hundred Fifty Dollars  
62 (\$152,750.00) and three (3) full-time positions are provided to  
63 carry out the provisions of House Bill No. 1414, Regular Session  
64 of 2003, or Senate Bill No. 2414, Regular Session of 2003. In the  
65 event that House Bill No. 1414, Regular Session of 2003, or Senate  
66 Bill No. 2414, Regular Session of 2003, is not enacted into law,  
67 it is the intention of the Legislature that the Department of  
68 Banking and Consumer Finance shall not expend One Hundred Fifty-  
69 two Thousand Seven Hundred Fifty Dollars (\$152,750.00) of the  
70 funds appropriated under the provisions of Section 1, nor shall  
71 the department fill more than fifty-five (55) of the full-time  
72 positions authorized in Section 2 of this act.

73         **SECTION 4.** Of the funds provided under the provisions of  
74 this act, Seventy-six Thousand Four Hundred Seventy-eight Dollars  
75 (\$76,478.00) may be used to reallocate or reclassify existing  
76 positions of this agency.

77         **SECTION 5.** The money herein appropriated shall be paid by  
78 the State Treasurer out of any money in the State Treasury to the  
79 credit of the proper fund or funds as set forth in this act, upon  
80 warrants issued by the State Fiscal Officer; and the State Fiscal  
81 Officer shall issue his warrants upon requisitions signed by the  
82 proper person, officer or officers in the manner provided by law.

83         **SECTION 6.** This act shall take effect and be in force from  
84 and after July 1, 2003.