

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

House Bill NO. 1526

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, 2003, and ending June 30, 2004.....
11 \$ 9,897,419.00.

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..	\$	6,258,086.00
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.....		771,416.00

25 Subsidies, Loans and Grants..... 15,000.00
 26 Total..... \$ 9,897,419.00

27 AUTHORIZED POSITIONS:

28 Permanent: Full Time..... 135
 29 Part Time..... 1
 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.** None of the funds herein appropriated by this act

60 to the Public Service Commission shall be expended for any purpose
61 that is not actually required or necessary for performing any of
62 the powers or duties of the Mississippi Public Service Commission
63 that are authorized by the Mississippi Constitution of 1890, state
64 or federal law, or rules or regulations that implement state or
65 federal law.

66 **SECTION 4.** It is the intention of the Legislature that the
67 Public Service Commission shall have the authority to escalate and
68 expend funds from any proceeds arising from participation in drug
69 seizure activities not to exceed Fifty Thousand Dollars
70 (\$50,000.00), in accordance with the rules and regulations of the
71 Department of Finance and Administration.

72 **SECTION 5.** It is the intention of the Legislature that with
73 the funds provided herein, overtime may be paid to PSC-Enforcement
74 Office Regulated Carrier positions, the PSC-Enforcement Officer
75 Chief position, PSC-Enforcement Officer District Supervisor
76 positions, PSC-Special Projects Officer IV position, and
77 PSC-Training Director position.

78 **SECTION 6.** Of the funds provided under the provisions of
79 this act, Seventy-two Thousand Five Hundred Forty-six Dollars
80 (\$72,546.00) may be used to reallocate or reclassify existing
81 positions of this agency.

82 **SECTION 7.** The money herein appropriated shall be paid by
83 the State Treasurer out of any money in the State Treasury to the
84 credit of the proper fund or funds as set forth in this act, upon
85 warrants issued by the State Fiscal Officer; and the State Fiscal
86 Officer shall issue his warrants upon requisitions signed by the
87 proper person, officer or officers, in the manner provided by law.

88 **SECTION 8.** This act shall take effect and be in force from
89 and after July 1, 2003.