

**Senate Amendments to House Bill No. 1745**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**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 any special  
7 fund in the State Treasury to the credit of the Mississippi  
8 Department of Insurance which is comprised of special source funds  
9 collected by or otherwise available to the department, for the  
10 purpose of defraying the expenses of the department for the fiscal  
11 year beginning July 1, 2004, and ending June 30, 2005.....  
12 ..... \$       7,549,800.00.

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

17       **MAJOR OBJECTS OF EXPENDITURE:**

18       Personal Services:

19               Salaries, Wages and Fringe Benefits..	\$	5,086,770.00
20               Travel and Subsistence.....		200,000.00
21               Contractual Services.....		1,838,500.00
22               Commodities.....		287,021.00
23       Capital Outlay:		
24               Other Than Equipment.....		0.00
25               Equipment.....		137,009.00
26               Subsidies, Loans and Grants.....		500.00
27               Total.....	\$	7,549,800.00

28       **AUTHORIZED POSITIONS:**

29               Permanent:		
Full Time.....		114
30               Part Time.....		0

31           Time-Limited: Full Time.....           0  
32                            Part Time.....           0

33           With the funds herein appropriated, it is the intention of  
34 the Legislature that it shall be the agency's responsibility to  
35 make certain that funds required to be appropriated for "Personal  
36 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005  
37 funds appropriated for that purpose, unless programs or positions  
38 are added to the agency's Fiscal Year 2006 budget by the  
39 Mississippi Legislature. Based on data provided by the  
40 Legislative Budget Office, the State Personnel Board shall  
41 determine and publish the projected annual cost to fully fund all  
42 appropriated positions in compliance with the provisions of this  
43 act. It shall be the responsibility of the agency head to insure  
44 that no single personnel action increases this projected annual  
45 cost and/or the Fiscal Year 2005 appropriation for "Personal  
46 Services" when annualized, with the exception of escalated funds.  
47 If, at the time the agency takes any action to change "Personal  
48 Services," the State Personnel Board determines that the agency  
49 has taken an action which would cause the agency to exceed this  
50 projected annual cost or the Fiscal Year 2005 "Personal Services"  
51 appropriated level, when annualized, then only those actions which  
52 reduce the projected annual cost and/or the appropriation  
53 requirement will be processed by the State Personnel Board until  
54 such time as the requirements of this provision are met.

55           Any transfers or escalations shall be made in accordance with  
56 the terms, conditions and procedures established by law or  
57 allowable under the terms set forth within this act. The State  
58 Personnel Board shall not escalate positions without written  
59 approval from the Department of Finance and Administration. The  
60 Department of Finance and Administration shall not provide written  
61 approval to escalate any funds for salaries and/or positions  
62 without proof of availability of new or additional funds above the  
63 appropriated level.

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.** It is the intention of the Legislature that the  
69 Mississippi Department of Insurance shall maintain complete  
70 accounting and personnel records related to the expenditure of all  
71 funds appropriated under this act and that such records shall be  
72 in the same format and level of detail as maintained for Fiscal  
73 Year 2004. It is further the intention of the Legislature that  
74 the agency's budget request for Fiscal Year 2006 shall be  
75 submitted to the Joint Legislative Budget Committee in a format  
76 and level of detail comparable to the format and level of detail  
77 provided during the Fiscal Year 2005 budget request process.

78       **SECTION 4.** Of the funds appropriated under the provisions of  
79 Section 1, and authorized for expenditure in Section 2, Sixteen  
80 Thousand Four Hundred Fifty-one Dollars (\$16,451.00) is provided  
81 for the Mississippi Fire Personnel Minimum Standards and  
82 Certification Board.

83       **SECTION 5.** The following sum, or so much thereof as may be  
84 necessary, is hereby appropriated out of any money in the special  
85 fund in the State Treasury to the credit of the Rural Fire Truck  
86 Acquisition Fund to the Mississippi Department of Insurance for  
87 the Rural Fire Truck Acquisition Assistance Program for the fiscal  
88 year beginning July 1, 2004, and ending June 30, 2005.....  
89 ..... \$ 1,560,598.00.

90       **SECTION 6.** Of the funds appropriated under the provisions of  
91 Section 1 and authorized for expenditure in Section 2, funds in  
92 the amount of Ten Thousand Dollars (\$10,000.00) are provided and  
93 shall be expended to pay the annual dues for the National  
94 Conference of Insurance Legislators.

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

101           **SECTION 8.** This act shall take effect and be in force from  
102 and after July 1, 2004.

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John O. Gilbert  
Secretary of the Senate