

Senate Amendments to House Bill No. 1574

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, 2006, and ending June 30, 2007.....
12 \$ 8,046,791.00.

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.. \$ 5,669,699.00
20 Travel and Subsistence..... 115,000.00
21 Contractual Services..... 1,878,500.00
22 Commodities..... 215,071.00
23 Capital Outlay:
24 Other Than Equipment..... 0.00
25 Equipment..... 168,021.00
26 Subsidies, Loans and Grants..... 500.00
27 Total..... \$ 8,046,791.00

28 **AUTHORIZED POSITIONS:**

29 Permanent: Full Time..... 112
30 Part Time..... 0

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

33 Funds are provided herein to adjust the Variable Compensation
34 Plan to ensure that all full-time employees receive a pay increase
35 equal to the realignment component of the Variable Compensation
36 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
37 beginning on July 1, 2006.

38 Pursuant to policies established by the State Personnel
39 Board, agency heads may, on a case by case basis and within funds
40 available, recommend equity salary adjustments to Fiscal Year 2006
41 agency appropriation acts where application of limitations result
42 in awarding one employee a salary increase greater than another
43 employee within the same agency, with the same job classification
44 series and greater longevity.

45 With the funds herein appropriated, it is the intention of
46 the Legislature that it shall be the agency's responsibility to
47 make certain that funds required to be appropriated for "Personal
48 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
49 funds appropriated for that purpose, unless programs or positions
50 are added to the agency's Fiscal Year 2008 budget by the
51 Mississippi Legislature. Based on data provided by the
52 Legislative Budget Office, the State Personnel Board shall
53 determine and publish the projected annual cost to fully fund all
54 appropriated positions in compliance with the provisions of this
55 act. It shall be the responsibility of the agency head to insure
56 that no single personnel action increases this projected annual
57 cost and/or the Fiscal Year 2007 appropriation for "Personal
58 Services" when annualized, with the exception of escalated funds.
59 If, at the time the agency takes any action to change "Personal
60 Services," the State Personnel Board determines that the agency
61 has taken an action which would cause the agency to exceed this
62 projected annual cost or the Fiscal Year 2007 "Personal Services"
63 appropriated level, when annualized, then only those actions which
64 reduce the projected annual cost and/or the appropriation

65 requirement will be processed by the State Personnel Board until
66 such time as the requirements of this provision are met.

67 Any transfers or escalations shall be made in accordance with
68 the terms, conditions and procedures established by law or
69 allowable under the terms set forth within this act. The State
70 Personnel Board shall not escalate positions without written
71 approval from the Department of Finance and Administration. The
72 Department of Finance and Administration shall not provide written
73 approval to escalate any funds for salaries and/or positions
74 without proof of availability of new or additional funds above the
75 appropriated level.

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

80 **SECTION 3.** It is the intention of the Legislature that the
81 Mississippi Department of Insurance shall maintain complete
82 accounting and personnel records related to the expenditure of all
83 funds appropriated under this act and that such records shall be
84 in the same format and level of detail as maintained for Fiscal
85 Year 2006. It is further the intention of the Legislature that
86 the agency's budget request for Fiscal Year 2008 shall be
87 submitted to the Joint Legislative Budget Committee in a format
88 and level of detail comparable to the format and level of detail
89 provided during the Fiscal Year 2007 budget request process.

90 **SECTION 4.** Of the funds appropriated under the provisions of
91 Section 1, and authorized for expenditure in Section 2, Fifteen
92 Thousand Seventy-nine Dollars (\$15,079.00) is provided for the
93 Mississippi Fire Personnel Minimum Standards and Certification
94 Board.

95 **SECTION 5.** The following sum, or so much thereof as may be
96 necessary, is hereby appropriated out of any money in the special
97 fund in the State Treasury to the credit of the Rural Fire Truck
98 Acquisition Fund to the Mississippi Department of Insurance for

99 the Rural Fire Truck Acquisition Assistance Program for the fiscal
100 year beginning July 1, 2006, and ending June 30, 2007.....
101 \$ 5,093,191.00.

102 **SECTION 6.** The following sum, or so much thereof as may be
103 necessary, is hereby appropriated out of any money in the special
104 fund in the State Treasury to the credit of the Supplemental Rural
105 Fire Truck Fund, created in Section 1, Laws of 2004, Third
106 Extraordinary Session, to the Mississippi Department of Insurance
107 for the Supplemental Rural Fire Truck Acquisition Assistance
108 Program for the fiscal year beginning July 1, 2006, and ending
109 June 30, 2007..... \$ 2,600,000.00

110 **SECTION 7.** Of the funds appropriated under the provisions of
111 Section 1 and authorized for expenditure in Section 2, funds in
112 the amount of Ten Thousand Dollars (\$10,000.00) are provided and
113 shall be expended to pay the annual dues for the National
114 Conference of Insurance Legislators.

115 **SECTION 8.** It is the intention of the Legislature that none
116 of the funds appropriated above shall be expended unless members
117 of the Mississippi House of Representatives and Mississippi Senate
118 are notified at least five (5) days prior to a public ceremony
119 announcing the award of any grant in their district or any public
120 announcement or ceremony regarding the groundbreaking or opening
121 of a facility, roadway or bridge for which the Legislature has
122 made funds available. Any signage regarding any public event or
123 any new facility, roadway or bridge shall include the following
124 language: "Funds were made available for this project by the
125 Mississippi State Legislature."

126 **SECTION 9.** It is the intention of the Legislature that
127 whenever two (2) or more bids are received by this agency for the
128 purchase of commodities or equipment, and whenever all things
129 stated in such received bids are equal with respect to price,
130 quality and service, the Mississippi Industries for the Blind
131 shall be given preference. A similar preference shall be given to
132 the Mississippi Industries for the Blind whenever purchases are
133 made without competitive bids.

134 **SECTION 10.** The money herein appropriated shall be paid by
135 the State Treasurer out of any money in the State Treasury to the
136 credit of the proper fund or funds as set forth in this act, upon
137 warrants issued by the State Fiscal Officer; and the State Fiscal
138 Officer shall issue his warrants upon requisitions signed by the
139 proper person, officer or officers, in the manner provided by law.

140 **SECTION 11.** This act shall take effect and be in force from
141 and after July 1, 2006.

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John O. Gilbert
Secretary of the Senate