

**Senate Amendments to House Bill No. 1578**

**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 the State  
7 Treasury to the credit of the State Board of Cosmetology, for the  
8 purpose of defraying the expenses of the board for the fiscal year  
9 beginning July 1, 2006, and ending June 30, 2007.....  
10 ..... \$           757,490.00.

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

15       **MAJOR OBJECTS OF EXPENDITURE:**

16       Personal Services:

17           Salaries, Wages and Fringe Benefits..	\$	431,516.00
18           Travel and Subsistence.....		116,674.00
19           Contractual Services.....		182,730.00
20           Commodities.....		15,471.00
21       Capital Outlay:		
22           Other Than Equipment.....		0.00
23           Equipment.....		11,099.00
24           Subsidies, Loans and Grants.....		0.00
25           Total.....	\$	757,490.00

26       **AUTHORIZED POSITIONS:**

27       Permanent:	Full Time.....	12
28	Part Time.....	0
29       Time-Limited:	Full Time.....	0
30	Part Time.....	0

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

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

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

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

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

78 **SECTION 3.** If not needed for other purposes, the State  
79 Treasurer shall invest any part of or all monies herein approved  
80 and any surplus funds of the State Board of Cosmetology for a  
81 period of ninety (90) days or more at the highest rate of interest  
82 obtainable and credit such to this respective fund. Monies shall  
83 be invested by the Treasurer in any short-term bonds, notes or  
84 other direct obligations of the United States of America or the  
85 State of Mississippi or any county or municipality of this state,  
86 which county or municipal bonds have been approved by a reputable  
87 bond attorney or have been validated by a decree of the court, or  
88 in savings accounts or certificates of deposit of a state or  
89 national bank in the State of Mississippi, or in federally insured  
90 savings and loan associations in the State of Mississippi; and in  
91 any event, the bonds, notes or obligations in which such funds are  
92 invested shall mature or be redeemable prior to the time the funds  
93 so invested will be needed for the purposes herein provided.

94 **SECTION 4.** It is the intent of this legislation to provide  
95 the funds for the board to meet when necessary, but under no  
96 circumstances shall it meet more than sixty-two (62) days a year.

97 **SECTION 5.** It is the intention of the Legislature that the  
98 State Board of Cosmetology shall maintain complete accounting and  
99 personnel records related to the expenditure of all funds

100 appropriated under this act and that such records shall be in the  
101 same format and level of detail as maintained for Fiscal Year  
102 2006. It is further the intention of the Legislature that the  
103 agency's budget request for Fiscal Year 2008 shall be submitted to  
104 the Joint Legislative Budget Committee in a format and level of  
105 detail comparable to the format and level of detail provided  
106 during the Fiscal Year 2007 budget request process.

107       **SECTION 6.** It is the intention of the Legislature that  
108 whenever two (2) or more bids are received by this agency for the  
109 purchase of commodities or equipment, and whenever all things  
110 stated in such received bids are equal with respect to price,  
111 quality and service, the Mississippi Industries for the Blind  
112 shall be given preference. A similar preference shall be given to  
113 the Mississippi Industries for the Blind whenever purchases are  
114 made without competitive bids.

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

121       **SECTION 8.** This act shall take effect and be in force from  
122 and after July 1, 2006.

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John O. Gilbert  
Secretary of the Senate