

Senate Amendments to House Bill No. 1600

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 Mississippi Auctioneers Commission
8 for the purpose of defraying the expenses of the commission, for
9 the fiscal year beginning July 1, 2006, and ending June 30, 2007.
10 \$ 101,447.00.

11 **SECTION 2.** With the funds appropriated under the provisions
12 of Section 1, the following positions are authorized:

13 **AUTHORIZED POSITIONS:**

14	Permanent:	Full Time.....	1
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

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

23 Pursuant to policies established by the State Personnel
24 Board, agency heads may, on a case by case basis and within funds
25 available, recommend equity salary adjustments to Fiscal Year 2006
26 agency appropriation acts where application of limitations result
27 in awarding one employee a salary increase greater than another
28 employee within the same agency, with the same job classification
29 series and greater longevity.

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

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

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

65 Of the above funds, none may be expended by this act to
66 provide for any regulatory authority over livestock auctioneers
67 conducting sales for an individual of his own property.

68 **SECTION 3.** It is the intention of the Legislature that the
69 Mississippi Auctioneers Commission 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 2006. It is further the intention of the Legislature that
74 the agency's budget request for Fiscal Year 2008 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 2007 budget request process.

78 **SECTION 4.** It is the intention of the Legislature that
79 whenever two (2) or more bids are received by this agency for the
80 purchase of commodities or equipment, and whenever all things
81 stated in such received bids are equal with respect to price,
82 quality and service, the Mississippi Industries for the Blind
83 shall be given preference. A similar preference shall be given to
84 the Mississippi Industries for the Blind whenever purchases are
85 made without competitive bids.

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

92 **SECTION 6.** This act shall take effect and be in force from
93 and after July 1, 2006.

SS05\HB1600A.J

John O. Gilbert
Secretary of the Senate