

Senate Amendments to House Bill No. 1605

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 Real Estate License Fund, for the
8 purpose of defraying the expenses of the Mississippi Real Estate
9 Commission for the fiscal year beginning July 1, 2006, and ending
10 June 30, 2007..... \$ 1,152,941.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 Section 1, not more than the amounts set forth below shall be
13 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..	\$	666,605.00
18 Travel and Subsistence.....		64,000.00
19 Contractual Services.....		346,736.00
20 Commodities.....		42,900.00
21 Capital Outlay:		
22 Other Than Equipment.....		0.00
23 Equipment.....		25,200.00
24 Subsidies, Loans and Grants.....		<u>7,500.00</u>
25 Total.....	\$	1,152,941.00

26 **AUTHORIZED POSITIONS:**

27 Permanent:	Full Time.....	13
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.** It is the intention of the Legislature that the
79 Mississippi Real Estate Commission shall maintain complete
80 accounting and personnel records related to the expenditure of all
81 funds appropriated under this act and that such records shall be
82 in the same format and level of detail as maintained for Fiscal
83 Year 2006. It is further the intention of the Legislature that
84 the agency's budget request for Fiscal Year 2008 shall be
85 submitted to the Joint Legislative Budget Committee in a format
86 and level of detail comparable to the format and level of detail
87 provided during the Fiscal Year 2007 budget request process.

88 **SECTION 4.** It is the intention of the Legislature that
89 whenever two (2) or more bids are received by this agency for the
90 purchase of commodities or equipment, and whenever all things
91 stated in such received bids are equal with respect to price,
92 quality and service, the Mississippi Industries for the Blind
93 shall be given preference. A similar preference shall be given to
94 the Mississippi Industries for the Blind whenever purchases are
95 made without competitive bids.

96 **SECTION 5.** The money herein appropriated shall be paid by
97 the State Treasurer out of any money in the State Treasury to the
98 credit of the proper fund or funds as set forth in this act, upon
99 warrants issued by the State Fiscal Officer; and the State Fiscal

100 Officer shall issue his warrants upon requisitions signed by the
101 proper person, officer or officers, in the manner provided by law.

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

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John O. Gilbert
Secretary of the Senate