

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1605**

**BY: Committee**

**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.