

By: Representatives Weathersby, Dickson,
Barnett, Hamilton (109th), Huddleston,
Jennings, Warren

To: Appropriations

HOUSE BILL NO. 1704

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE
3 FISCAL YEAR 2008.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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, 2007, and ending June 30, 2008.....
12 \$ 9,357,550.00.

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..	\$ 6,700,260.00
20	Travel and Subsistence.....	115,000.00
21	Contractual Services.....	2,051,291.00
22	Commodities.....	291,171.00
23	Capital Outlay:	
24	Other Than Equipment.....	0.00
25	Equipment.....	95,628.00
26	Vehicles.....	100,000.00
27	Wireless Communication Devices.....	3,700.00

28 Subsidies, Loans and Grants..... 500.00
 29 Total..... \$ 9,357,550.00

30 AUTHORIZED POSITIONS:

31 Permanent: Full Time..... 124
 32 Part Time..... 0
 33 Time-Limited: Full Time..... 0
 34 Part Time..... 0

35 Funds are provided herein to adjust the Variable Compensation
 36 Plan to ensure that all full-time employees receive a pay increase
 37 equal to the realignment component of the Variable Compensation
 38 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
 39 is greater.

40 With the funds herein appropriated, it is the intention of
 41 the Legislature that it shall be the agency's responsibility to
 42 make certain that funds required to be appropriated for "Personal
 43 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
 44 funds appropriated for that purpose, unless programs or positions
 45 are added to the agency's Fiscal Year 2009 budget by the
 46 Mississippi Legislature. Based on data provided by the
 47 Legislative Budget Office, the State Personnel Board shall
 48 determine and publish the projected annual cost to fully fund all
 49 appropriated positions in compliance with the provisions of this
 50 act. It shall be the responsibility of the agency head to insure
 51 that no single personnel action increases this projected annual
 52 cost and/or the Fiscal Year 2008 appropriation for "Personal
 53 Services" when annualized, with the exception of escalated funds.
 54 If, at the time the agency takes any action to change "Personal
 55 Services," the State Personnel Board determines that the agency
 56 has taken an action which would cause the agency to exceed this
 57 projected annual cost or the Fiscal Year 2008 "Personal Services"
 58 appropriated level, when annualized, then only those actions which
 59 reduce the projected annual cost and/or the appropriation

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

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

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

75 **SECTION 3.** It is the intention of the Legislature that the
76 Mississippi Department of Insurance shall maintain complete
77 accounting and personnel records related to the expenditure of all
78 funds appropriated under this act and that such records shall be
79 in the same format and level of detail as maintained for Fiscal
80 Year 2007. It is further the intention of the Legislature that
81 the agency's budget request for Fiscal Year 2009 shall be
82 submitted to the Joint Legislative Budget Committee in a format
83 and level of detail comparable to the format and level of detail
84 provided during the Fiscal Year 2008 budget request process.

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

90 **SECTION 5.** The following sum, or so much thereof as may be
91 necessary, is hereby appropriated out of any money in the special
92 fund in the State Treasury to the credit of the Rural Fire Truck

93 Acquisition Fund to the Mississippi Department of Insurance for
94 the Rural Fire Truck Acquisition Assistance Program for the fiscal
95 year beginning July 1, 2007, and ending June 30, 2008.....
96 \$ 4,000,000.00.

97 **SECTION 6.** The following sum, or so much thereof as may be
98 necessary, is hereby appropriated out of any money in the special
99 fund in the State Treasury to the credit of the Supplemental Rural
100 Fire Truck Fund, created in Section 1, Laws of 2004, Third
101 Extraordinary Session, to the Mississippi Department of Insurance
102 for the Supplemental Rural Fire Truck Acquisition Assistance
103 Program for the fiscal year beginning July 1, 2007, and ending
104 June 30, 2008..... \$ 2,980,000.00

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

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

121 **SECTION 9.** It is the intention of the Legislature that
122 whenever two (2) or more bids are received by this agency for the
123 purchase of commodities or equipment, and whenever all things
124 stated in such received bids are equal with respect to price,
125 quality and service, the Mississippi Industries for the Blind

126 shall be given preference. A similar preference shall be given to
127 the Mississippi Industries for the Blind whenever purchases are
128 made without competitive bids.

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

135 **SECTION 11.** This act shall take effect and be in force from
136 and after July 1, 2007.