

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

To: Appropriations

HOUSE BILL NO. 1704  
(As Sent to Governor)

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 ..... \$ 9,402,655.00.

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..	\$ 6,745,365.00
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..... \$       9,402,655.00

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, to be awarded on July 1, 2007.

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 2008 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 appropriations for "Personal  
 53 Services" when annualized, with the exception of escalated funds  
 54 and educational benchmarks. If, at the time the agency takes any  
 55 action to change "Personal Services," the State Personnel Board  
 56 determines that the agency has taken an action which would cause  
 57 the agency to exceed this projected annual cost or the Fiscal Year  
 58 2008 "Personal Services" appropriated level, when annualized, then  
 59 only those actions which reduce the projected annual cost and/or  
 60 the appropriation requirement will be processed by the State

61 Personnel Board until such time as the requirements of this  
62 provision are met. On January 1, 2008, the State Personnel Board  
63 will make adjustments to the structure side of the compliance  
64 report based on data provided by the Legislative Budget Office in  
65 order for agencies to award educational benchmarks.

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

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78 act and which are withdrawn and no longer available.

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

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

94           **SECTION 5.** The following sum, or so much thereof as may be  
95 necessary, is hereby appropriated out of any money in the special  
96 fund in the State Treasury to the credit of the Rural Fire Truck  
97 Acquisition Fund to the Mississippi Department of Insurance for  
98 the Rural Fire Truck Acquisition Assistance Program for the fiscal  
99 year beginning July 1, 2007, and ending June 30, 2008.....  
100 ..... \$     4,000,000.00.

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

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

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

125           **SECTION 9.** It is the intention of the Legislature that  
126 whenever two (2) or more bids are received by this agency for the

127 purchase of commodities or equipment, and whenever all things  
128 stated in such received bids are equal with respect to price,  
129 quality and service, the Mississippi Industries for the Blind  
130 shall be given preference. A similar preference shall be given to  
131 the Mississippi Industries for the Blind whenever purchases are  
132 made without competitive bids.

133         **SECTION 10.** It is the intention of the Legislature that the  
134 Office of Mississippi Department of Insurance shall have the  
135 authority to accept, budget and expend funds, which is comprised  
136 of special funds to the office, not to exceed Three Hundred  
137 Thousand Dollars (\$300,000.00). Such funds are to be escalated in  
138 accordance with procedures for federal fund escalations as  
139 established in Section 27-104-21, Mississippi Code of 1972, and  
140 expended for the purposes of performing such duties as set forth  
141 by law in accordance with applicable rules and regulations of the  
142 State Fiscal Officer.

143         **SECTION 11.** The money herein appropriated shall be paid by  
144 the State Treasurer out of any money in the State Treasury to the  
145 credit of the proper fund or funds as set forth in this act, upon  
146 warrants issued by the State Fiscal Officer; and the State Fiscal  
147 Officer shall issue his warrants upon requisitions signed by the  
148 proper person, officer or officers, in the manner provided by law.

149         **SECTION 12.** This act shall take effect and be in force from  
150 and after July 1, 2007.