

Senate Amendments to House Bill No. 1654

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:

7       **SECTION 1.** The following sum, or so much thereof as may be  
8 necessary, is hereby appropriated out of any money in the State  
9 Treasury to the credit of the Administrative Expense Account of  
10 the Public Employees' Retirement System for the purpose of  
11 defraying the administrative expenses of the Board of Trustees of  
12 the Public Employees' Retirement System, or out of any money in  
13 the State Treasury to the credit of the Retirement System Building  
14 Account of the Public Employees' Retirement System for the purpose  
15 of maintenance and general operation of the Retirement System  
16 Building, for the fiscal year beginning July 1, 2007, and ending  
17 June 30, 2008..... \$     11,079,902.00.

18       **SECTION 2.** Of the funds appropriated under the provisions of  
19 Section 1, not more than the amounts set forth below shall be  
20 expended for the respective major objects or purposes of  
21 expenditure:

22       MAJOR OBJECTS OF EXPENDITURE:

23	Personal Services:	
24	Salaries, Wages and Fringe Benefits..	\$       7,668,602.00
25	Travel and Subsistence.....	75,000.00
26	Contractual Services.....	2,959,000.00
27	Commodities.....	300,000.00
28	Capital Outlay:	
29	Other Than Equipment.....	0.00
30	Equipment.....	77,300.00
31	Vehicles.....	0.00
32	Wireless Communication Devices.....	0.00

33	Subsidies, Loans and Grants.....	0.00
34	Total.....	\$ 11,079,902.00

35 AUTHORIZED POSITIONS:

36	Permanent: Full Time.....	149
37	Part Time.....	1
38	Time-Limited: Full Time.....	0
39	Part Time.....	0

40 Funds are provided herein to adjust the Variable Compensation  
41 Plan to ensure that all full-time employees receive a pay increase  
42 equal to the realignment component of the Variable Compensation  
43 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)  
44 whichever is greater, to be awarded on July 1, 2007.

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

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

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

80 The agency shall not take any action to promote or otherwise  
81 award salary increases through reallocation, reclassification,  
82 realignment, education benchmark, career ladder, or any other  
83 means to increase salaries of employees or positions unless  
84 specifically exempted by the following conditions: the award of  
85 teacher pay increases, the advancement of a trainee/cadet to the  
86 next level of a bona fide career ladder, the award of an  
87 educational benchmark for the attainment of Certified Public  
88 Accountant License or higher level professional certification as  
89 determined by the State Personnel Board, the immediate replacement  
90 of a departing employee with an individual from within state  
91 service or a new hire at a salary level equivalent to that of the  
92 departing employee, and the emergency appointment of nurses,  
93 pharmacists or other health care professionals at a salary to be  
94 determined by the State Personnel Board, unless otherwise  
95 authorized in this act.

96 **SECTION 3.** It is the intention of the Legislature that the  
97 Board of Trustees of the Public Employees' Retirement System shall  
98 maintain complete accounting and personnel records related to the  
99 expenditure of all funds appropriated under this act and that such  
100 records shall be in the same format and level of detail as  
101 maintained for Fiscal Year 2007. It is further the intention of

the Legislature that the agency's budget request for Fiscal Year 2009 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2008 budget request process.

**SECTION 4.** In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

It is the intention of the Legislature that the system have the authority to escalate the Public Employees' Retirement System Building Repair and Maintenance Fund in an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) for repair and maintenance of the buildings owned by the system. All expenditures from the Public Employees' Retirement System Building Repair and Maintenance Fund shall be in accordance with this article and for the purposes designated herein.

**SECTION 5.** It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

**SECTION 6.** It is the intention of the Legislature that the Executive Director of the Public Employees' Retirement System may increase major objects of expenditure in total amounts not to exceed twenty-five percent (25%) of the appropriated amount of each major object of expenditure, provided that other major objects of expenditure are decreased by a corresponding dollar

137 amount and provided the Executive Director of the Mississippi  
138 Department of Finance and Administration also approves with  
139 written authorization. However, no transfers shall be authorized  
140 which increase the major object of expenditure "Salaries, Wages  
141 and Fringe Benefits."

142       **SECTION 7.** In addition to all other sums herein  
143 appropriated, the following sum, or so much thereof as may be  
144 necessary, is appropriated out of any money in the State Treasury  
145 to the credit of the Administrative Expense Account of the Public  
146 Employees' Retirement System, for the purpose of defraying those  
147 expenses associated with consultant services regarding a  
148 replacement computer system, for the fiscal year beginning July 1,  
149 2007, and ending June 30, 2008..... \$           480,458.00.

150       **SECTION 8.** The money herein appropriated shall be paid by  
151 the State Treasurer out of any money in the State Treasury to the  
152 credit of the proper fund or funds as set forth in this act, upon  
153 warrants issued by the State Fiscal Officer; and the State Fiscal  
154 Officer shall issue his warrants upon requisitions signed by the  
155 proper person, officer or officers, in the manner provided by law.

156       **SECTION 9.** This act shall take effect and be in force from  
157 and after July 1, 2007.

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John O. Gilbert  
Secretary of the Senate