

Senate Amendments to House Bill No. 1639

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Mississippi Department of Insurance for the fiscal
9 year beginning July 1, 2019, and ending June 30, 2020.....
10\$ 12,011,661.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 this act, the following positions are authorized:

13 AUTHORIZED POSITIONS:

| | | | |
|----|---------------|----------------|-----|
| 14 | Permanent: | Full Time..... | 139 |
| 15 | | Part Time..... | 0 |
| 16 | Time-Limited: | Full Time..... | 1 |
| 17 | | Part Time..... | 4 |

18 With the funds herein appropriated, it shall be the agency's
19 responsibility to make certain that funds required to be
20 appropriated for "Personal Services" for Fiscal Year 2021 do not
21 exceed Fiscal Year 2020 funds appropriated for that purpose,

22 unless programs or positions are added to the agency's Fiscal Year
23 2020 budget by the Mississippi Legislature. Based on data
24 provided by the Legislative Budget Office, the State Personnel
25 Board shall determine and publish the projected annual cost to
26 fully fund all appropriated positions in compliance with the
27 provisions of this act. It shall be the responsibility of the
28 agency head to ensure that no single personnel action increases
29 this projected annual cost and/or the Fiscal Year 2020
30 appropriations for "Personal Services" when annualized, with the
31 exception of escalated funds and the award of benchmarks. If, at
32 the time the agency takes any action to change "Personal
33 Services," the State Personnel Board determines that the agency
34 has taken an action which would cause the agency to exceed this
35 projected annual cost or the Fiscal Year 2020 "Personal Services"
36 appropriated level, when annualized, then only those actions which
37 reduce the projected annual cost and/or the appropriation
38 requirement will be processed by the State Personnel Board until
39 such time as the requirements of this provision are met.

40 Any transfers or escalations shall be made in accordance with
41 the terms, conditions and procedures established by law or
42 allowable under the terms set forth within this act. The State
43 Personnel Board shall not escalate positions without written
44 approval from the Department of Finance and Administration. The
45 Department of Finance and Administration shall not provide written
46 approval to escalate any funds for salaries and/or positions

47 without proof of availability of new or additional funds above the
48 appropriated level.

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

53 None of the funds herein appropriated shall be used in
54 violation of Internal Revenue Service's Publication 15-A relating
55 to the reporting of income paid to contract employees, as
56 interpreted by the Office of the State Auditor.

57 **SECTION 3.** It is the intention of the Legislature that the
58 Mississippi Department of Insurance shall maintain complete
59 accounting and personnel records related to the expenditure of all
60 funds appropriated under this act and that such records shall be
61 in the same format and level of detail as maintained for Fiscal
62 Year 2019. It is further the intention of the Legislature that
63 the agency's budget request for Fiscal Year 2021 shall be
64 submitted to the Joint Legislative Budget Committee in a format
65 and level of detail comparable to the format and level of detail
66 provided during the Fiscal Year 2020 budget request process.

67 **SECTION 4.** In compliance with the "Mississippi Performance
68 Budget and Strategic Planning Act of 1994," it is the intent of
69 the Legislature that the funds provided herein shall be utilized
70 in the most efficient and effective manner possible to achieve the
71 intended mission of this agency. Based on the funding authorized,

72 this agency shall make every effort to attain the targeted
73 performance measures provided below:

| 74 | | FY2020 |
|----|--|---------------|
| 75 | <u>Performance Measures</u> | <u>Target</u> |
| 76 | Lic & Reg MS Ins Co's & Agents | |
| 77 | Number of (Producer, etc) Licenses Issued | 102,000 |
| 78 | Average Cost Per License Issued | 35.00 |
| 79 | Number of Agent's C/A's Issued | 350,000 |
| 80 | Average Cost Per Agent C/A Issued | 30.00 |
| 81 | Number of Requests for Assistance | 12,200 |
| 82 | Average Cost Per Customer I/C Addressed | 34.00 |
| 83 | Average Premium Cost for H/O Insurance | 1,679.00 |
| 84 | Number of Fire Marshal Investigations | 1,100 |
| 85 | Cost Per Fire Marshal Investigation | 550.00 |
| 86 | Number of Fire Marshal Inspections | 8,100 |
| 87 | Average Cost Per Fire Marshal Inspection | 60.00 |
| 88 | Liquefied Compressed Gas | |
| 89 | Number of Accidents/Injuries/Deaths due | |
| 90 | to Incidents Involving LCG | 0.00 |
| 91 | Number of Inspections | 6,400 |
| 92 | Average Cost Per Inspection | 60.00 |
| 93 | Number of Safety Training Schools/Seminars | 160 |
| 94 | Average Cost Per Safety Training School | 145.00 |
| 95 | A reporting of the degree to which the performance targets | |
| 96 | set above have been or are being achieved shall be provided in the | |

97 agency's budget request submitted to the Joint Legislative Budget
98 Committee for Fiscal Year 2021.

99 **SECTION 5.** Of the funds appropriated under the provisions of
100 Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is
101 provided for the Mississippi Fire Personnel Minimum Standards and
102 Certification Board.

103 **SECTION 6.** Of the funds appropriated under the provisions of
104 Section 1, funds in the amount of Ten Thousand Dollars
105 (\$10,000.00) are provided and shall be expended to pay the annual
106 dues for the National Conference of Insurance Legislators.

107 **SECTION 7.** It is the intention of the Legislature that none
108 of the funds appropriated above shall be expended unless members
109 of the Mississippi House of Representatives and Mississippi Senate
110 are notified at least five (5) days prior to a public ceremony
111 announcing the award of any grant in their district or any public
112 announcement or ceremony regarding the groundbreaking or opening
113 of a facility, roadway or bridge for which the Legislature has
114 made funds available. Any signage regarding any public event or
115 any new facility, roadway or bridge shall include the following
116 language: "Funds were made available for this project by the
117 Mississippi State Legislature."

118 **SECTION 8.** It is the intention of the Legislature that
119 whenever two (2) or more bids are received by this agency for the
120 purchase of commodities or equipment, and whenever all things
121 stated in such received bids are equal with respect to price,
122 quality and service, the Mississippi Industries for the Blind

123 shall be given preference. A similar preference shall be given to
124 the Mississippi Industries for the Blind whenever purchases are
125 made without competitive bids.

126 **SECTION 9.** Within the limits of the funds available to the
127 Mississippi Insurance Department for such purpose, the
128 Commissioner of Insurance for the Mississippi Insurance Department
129 may grant a paid internship to students pursuing junior or senior
130 undergraduate level year coursework toward a bachelor's degree in
131 risk management insurance or graduate level coursework towards a
132 master's degree in business administration. Those applicants
133 deemed qualified by the Mississippi Department of Insurance shall
134 receive funds that may be used to pay for tuition, books and
135 related fees to pursue their degree. It is the intent of the
136 Legislature that the paid internship program shall be used as
137 incentive for risk management insurance careers at the Mississippi
138 Insurance Department.

139 **SECTION 10.** Of the funds appropriated in Section 1, Two
140 Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the
141 State Fire Marshal's Office for fire safety prevention and
142 services, including, but not limited to, fire protection supplies
143 and materials, smoke alarms, and public service announcements
144 providing fire prevention information.

145 **SECTION 11.** In addition to all other sums herein
146 appropriated, the following sum, or so much thereof as may be
147 necessary, is hereby appropriated out of any money in the State
148 Treasury to the credit of the Capital Expense Fund, as created in

149 Section 27-103-303, Mississippi Code of 1972, and allocated in a
150 manner as determined by the Treasurer's Office, to the Mississippi
151 Rural Fire Truck Acquisition Assistance Fund and/or the
152 Supplementary Rural Fire Truck Fund for the fiscal year beginning
153 July 1, 2019, and ending June 30, 2020.....\$ 3,000,000.00.

154 These funds are provided to the Department of Insurance for
155 the Rural Fire Truck Acquisition Assistance Program created in
156 Section 17-23-1 and Section 17-23-11, Miss. Code of 1972.

157 **SECTION 12.** In addition to all other sums herein
158 appropriated, the following sum, or so much thereof as may be
159 necessary, is appropriated out of any money in the State Treasury
160 to the credit of the Propane Education and Research Program Fund,
161 for the purpose of research and development of more cost effective
162 uses of propane and on educational programs, safety programs, and
163 market development of propane for the fiscal year beginning July
164 1, 2019, and ending June 30, 2020.....\$ 130,000.00

165 **SECTION 13.** The money herein appropriated shall be paid by
166 the State Treasurer out of any money in the State Treasury to the
167 credit of the proper fund or funds as set forth in this act, upon
168 warrants issued by the State Fiscal Officer; and the State Fiscal
169 Officer shall issue his warrants upon requisitions signed by the
170 proper person, officer or officers, in the manner provided by law.

171 **SECTION 14.** This act shall take effect and be in force from
172 and after July 1, 2019.

Liz Welch
Secretary of the Senate