

Senate Amendments to House Bill No. 1379

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, 2021, and ending June 30, 2022.....
10\$ 10,796,727.00.

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.....	127
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

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 2023 do not
21 exceed Fiscal Year 2022 funds appropriated for that purpose unless

22 programs or positions are added to the agency's Fiscal Year 2022
23 budget by the Mississippi Legislature. Based on data provided by
24 the Legislative Budget Office, the State Personnel Board shall
25 determine and publish the projected annual cost to fully fund all
26 appropriated positions in compliance with the provisions of this
27 act. Absent a special situation or circumstance approved by the
28 State Personnel Board, or unless otherwise authorized by this act,
29 no state agency shall take any action to promote or otherwise
30 award salary increases through reallocation or realignment. If
31 the State Personnel Board determines a special situation or
32 circumstance exists and approves an action, then the agency and
33 the State Personnel Board shall provide a monthly report of each
34 action approved by the State Personnel Board to the chairmen of
35 the Accountability, Efficiency and Transparency Committees of the
36 Senate and House of Representatives and the chairmen of the
37 Appropriations Committees of the Senate and House of
38 Representatives. It shall be the responsibility of the agency
39 head to ensure that no single personnel action increases this
40 projected annual cost and/or the Fiscal Year 2022 appropriations
41 for "Personal Services" when annualized, with the exception of
42 escalated funds and the award of benchmarks. If, at the time the
43 agency takes any action to change "Personal Services," the State
44 Personnel Board determines that the agency has taken an action
45 which would cause the agency to exceed this projected annual cost
46 or the Fiscal Year 2022 "Personal Services" appropriated level,
47 when annualized, then only those actions which reduce the

48 projected annual cost and/or the appropriation requirement will be
49 processed by the State Personnel Board until such time as the
50 requirements of this provision are met.

51 Any transfers or escalations shall be made in accordance with
52 the terms, conditions and procedures established by law or
53 allowable under the terms set forth within this act. The State
54 Personnel Board shall not escalate positions without written
55 approval from the Department of Finance and Administration. The
56 Department of Finance and Administration shall not provide written
57 approval to escalate any funds for salaries and/or positions
58 without proof of availability of new or additional funds above the
59 appropriated level.

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

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

68 **SECTION 3.** It is the intention of the Legislature that the
69 Mississippi Department of Insurance shall maintain complete
70 accounting and personnel records related to the expenditure of all
71 funds appropriated under this act and that such records shall be
72 in the same format and level of detail as maintained for Fiscal
73 Year 2021. It is further the intention of the Legislature that

74 the agency's budget request for Fiscal Year 2023 shall be
 75 submitted to the Joint Legislative Budget Committee in a format
 76 and level of detail comparable to the format and level of detail
 77 provided during the Fiscal Year 2022 budget request process.

78 **SECTION 4.** In compliance with the "Mississippi Performance
 79 Budget and Strategic Planning Act of 1994," it is the intent of
 80 the Legislature that the funds provided herein shall be utilized
 81 in the most efficient and effective manner possible to achieve the
 82 intended mission of this agency. Based on the funding authorized,
 83 this agency shall make every effort to attain the targeted
 84 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	152,000
Average Cost Per License Issued (\$)	35.00
Number of Agent's C/A's Issued	430,000
Average Cost Per Agent C/A Issued (\$)	40.00
Number of Requests for Assistance	12,660
Average Cost Per Customer I/C Addressed (\$)	53.00
Number of Fire Marshal Investigations	750
Cost Per Fire Marshal Investigation (\$)	550.00
Number of Fire Marshal Inspections	8,500
Average Cost Per Fire Marshal Inspection (\$)	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths due	

100	to Incidents Involving LCG	0
101	Number of Inspections	8,000
102	Average Cost Per Inspection (\$)	60.00
103	Number of Safety Training Schools/Seminars	170
104	Average Cost Per Safety Training School (\$)	145.00

105 A reporting of the degree to which the performance targets
106 set above have been or are being achieved shall be provided in the
107 agency's budget request submitted to the Joint Legislative Budget
108 Committee for Fiscal Year 2023.

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

113 **SECTION 6.** Of the funds appropriated under the provisions of
114 Section 1, funds in the amount of Twenty Thousand Dollars
115 (\$20,000.00) are provided and shall be expended to pay the annual
116 dues for the National Conference of Insurance Legislators.

117 **SECTION 7.** It is the intention of the Legislature that none
118 of the funds appropriated above shall be expended unless members
119 of the Mississippi House of Representatives and Mississippi Senate
120 are notified at least five (5) days prior to a public ceremony
121 announcing the award of any grant in their district or any public
122 announcement or ceremony regarding any project for which the
123 Legislature has made funds available. Any signage regarding any
124 public event or project shall include the following language:

125 "Funds were made available for this project by the Mississippi
126 State Legislature."

127 **SECTION 8.** It is the intention of the Legislature that
128 whenever two (2) or more bids are received by this agency for the
129 purchase of commodities or equipment, and whenever all things
130 stated in such received bids are equal with respect to price,
131 quality and service, the Mississippi Industries for the Blind
132 shall be given preference. A similar preference shall be given to
133 the Mississippi Industries for the Blind whenever purchases are
134 made without competitive bids.

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

148 **SECTION 10.** Of the funds appropriated in Section 1, Two
149 Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the
150 State Fire Marshal's Office for fire safety prevention and

151 services, including, but not limited to, fire protection supplies
152 and materials, smoke alarms, and public service announcements
153 providing fire prevention information.

154 **SECTION 11.** The following sum, or so much thereof as may be
155 necessary, is appropriated out of any money in the State Treasury
156 to the credit of the Propane Education and Research Program Fund,
157 for the purpose of research and development of more cost effective
158 uses of propane and on educational programs, safety programs, and
159 market development of propane for the fiscal year beginning
160 July 1, 2021, and ending June 30, 2022.....\$ 130,000.00.

161 **SECTION 12.** The money herein appropriated shall be paid by
162 the State Treasurer out of any money in the State Treasury to the
163 credit of the proper fund or funds as set forth in this act, upon
164 warrants issued by the State Fiscal Officer; and the State Fiscal
165 Officer shall issue his warrants upon requisitions signed by the
166 proper person, officer or officers, in the manner provided by law.

167 **SECTION 13.** This act shall take effect and be in force from
168 and after July 1, 2021, and shall stand repealed June 29, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2022.

SS15\HB1379A.J

Eugene S. Clarke
Secretary of the Senate