

Senate Amendments to House Bill No. 1605

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, 2023, and ending June 30, 2024.....
10\$ 12,575,977.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in any special fund in
13 the State Treasury to the credit of the Mississippi Department of
14 Insurance which is comprised of special source funds collected by
15 or otherwise available to the department, for the support of the
16 various offices of the department for the fiscal year beginning
17 July 1, 2023, and ending June 30, 2024.....\$ 130,000.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 this act, the following positions are authorized:

20 AUTHORIZED HEADCOUNT:

21 Permanent: 128

22 Time-Limited: 0

23 With the funds herein appropriated, it shall be the agency's
24 responsibility to make certain that funds required for Personal
25 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
26 appropriated for that purpose unless programs or positions are
27 added to the agency's Fiscal Year 2024 budget by the Mississippi
28 Legislature. The Legislature shall determine the agency's
29 personal services appropriation, which shall be published by the
30 State Personnel Board. Additionally, the State Personnel Board
31 shall determine and publish the projected annualized payroll costs
32 based on current employees. It shall be the responsibility of the
33 agency head to ensure that actual personnel expenditures for
34 Fiscal Year 2024 do not exceed the data provided by the
35 Legislative Budget Office. If the agency's Fiscal Year 2024
36 projected cost exceeds the annualized costs, no salary actions
37 shall be processed by the State Personnel Board with the exception
38 of new hires that are determined to be essential for the agency.

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

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

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

56 Funds have been appropriated herein for the purpose of
57 funding Project SEC2 minimum salaries for all employees covered
58 under the Colonel Guy Groff/Neville Kenning Variable Compensation
59 Plan. It shall be the agency's responsibility to ensure that the
60 funds are used to increase all employees' salaries up to the
61 minimum level as determined by the State Personnel Board.

62 **SECTION 4.** It is the intention of the Legislature that the
63 Mississippi Department of Insurance shall maintain complete
64 accounting and personnel records related to the expenditure of all
65 funds appropriated under this act and that such records shall be
66 in the same format and level of detail as maintained for Fiscal
67 Year 2023. It is further the intention of the Legislature that
68 the agency's budget request for Fiscal Year 2025 shall be
69 submitted to the Joint Legislative Budget Committee in a format
70 and level of detail comparable to the format and level of detail
71 provided during the Fiscal Year 2024 budget request process.

72 **SECTION 5.** In compliance with the "Mississippi Performance
73 Budget and Strategic Planning Act of 1994," it is the intent of

74 the Legislature that the funds provided herein shall be utilized
 75 in the most efficient and effective manner possible to achieve the
 76 intended mission of this agency. Based on the funding authorized,
 77 this agency shall make every effort to attain the targeted
 78 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
81 Lic & Reg MS Ins Co's & Agents	
82 Number of (Producer, Etc) Licenses Issued	165,000
83 Average Cost per License Issued	100.00
84 Number of Agent's C/A's Issued	290,000
85 Average Cost per Agent C/A Issued	25.00
86 Number of Requests for Assistance	24,500
87 Average Cost per Customer I/C Addressed	53.00
88 Number of Fire Marshal Investigations	475
89 Cost per Fire Marshal Investigation	550.00
90 Number of Fire Marshal Inspections	5,720
91 Average Cost per Fire Marshal Inspection	60.00
92 Liquefied Compressed Gas	
93 Number of Accidents/Injuries/Deaths Due	
94 to Incidents Involving LCG	0
95 Number of Inspections	7,500
96 Average Cost per Inspection	60.00
97 Number of Safety Training Schools/Seminars	170
98 Average Cost per Safety Training School	145.00

99 A reporting of the degree to which the performance targets
100 set above have been or are being achieved shall be provided in the
101 agency's budget request submitted to the Joint Legislative Budget
102 Committee for Fiscal Year 2025.

103 **SECTION 6.** Of the funds appropriated under the provisions of
104 Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is
105 provided for the Mississippi Fire Personnel Minimum Standards and
106 Certification Board.

107 **SECTION 7.** Of the funds appropriated under the provisions of
108 Section 1, funds in the amount of Twenty Thousand Dollars
109 (\$20,000.00) are provided and shall be expended to pay the annual
110 dues for the National Conference of Insurance Legislators.

111 **SECTION 8.** It is the intention of the Legislature that none
112 of the funds appropriated above shall be expended unless members
113 of the Mississippi House of Representatives and Mississippi Senate
114 are notified at least five (5) days prior to a public ceremony
115 announcing the award of any grant in their district or any public
116 announcement or ceremony regarding any project for which the
117 Legislature has made funds available. Any signage regarding any
118 public event or project shall include the following language:
119 "Funds were made available for this project by the Mississippi
120 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.** Within the limits of the funds available to the
130 Mississippi Insurance Department for such purpose, the
131 Commissioner of Insurance for the Mississippi Insurance Department
132 may grant a paid internship to students pursuing junior or senior
133 undergraduate level year coursework toward a bachelor's degree in
134 risk management insurance or graduate level coursework towards a
135 master's degree in business administration. Those applicants
136 deemed qualified by the Mississippi Department of Insurance shall
137 receive funds that may be used to pay for tuition, books and
138 related fees to pursue their degree. It is the intent of the
139 Legislature that the paid internship program shall be used as
140 incentive for risk management insurance careers at the Mississippi
141 Insurance Department.

142 **SECTION 11.** Of the funds appropriated in Section 1, Two
143 Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the
144 State Fire Marshal's Office for fire safety prevention and
145 services, including, but not limited to, fire protection supplies
146 and materials, smoke alarms, and public service announcements
147 providing fire prevention information.

148 **SECTION 12.** Of the funds appropriated under the provisions
149 of Section 2, the following sum, or so much thereof as may be
150 necessary, is appropriated out of any money in the State Treasury

151 to the credit of the Propane Education and Research Program Fund,
152 for the purpose of research and development of more cost effective
153 uses of propane and on educational programs, safety programs, and
154 market development of propane for the fiscal year beginning
155 July 1, 2023, and ending June 30, 2024.....\$ 130,000.00.

156 **SECTION 13.** The following sum, or so much thereof as may be
157 necessary, is hereby appropriated out of any money in the special
158 fund in the State Treasury to the credit of the Annual Fire Fund
159 which was created in Section 17-23-21, Mississippi Code of 1972 to
160 the Mississippi Department of Insurance for the Rural Fire Truck
161 Acquisition Assistance Program and the Supplementary Rural Fire
162 Truck Fund for the fiscal year beginning July 1, 2023, and ending
163 June 30, 2024.....\$ 6,000,000.00.

164 **SECTION 14.** The following sum, or so much thereof as may be
165 necessary, is hereby appropriated out of any money in the special
166 fund in the State Treasury to the credit of the Rural Fire Truck
167 Matching Assistance Fund which was created in Section 17-23-1 (4),
168 Mississippi Code of 1972 to the Mississippi Department of
169 Insurance for the Rural Fire Truck Matching Assistance Program for
170 the fiscal year beginning July 1, 2023, and ending June 30, 2024
171\$ 2,000,000.00.

172 **SECTION 15.** The following sum, or so much thereof as may be
173 necessary, is reappropriated out of any money in the Capital
174 Expense Fund not otherwise appropriated, for the Mississippi
175 Department of Insurance for the purpose of reauthorizing the
176 expenditure of Capital Expense Funds for the purpose of purchasing

177 vehicles for inspectors, as authorized in House Bill No. 1593,
178 2022 Regular Session, for the fiscal year beginning July 1, 2023,
179 and ending June 30, 2024.....\$ 100,000.00.

180 Notwithstanding the amount reappropriated under this section,
181 the amount that may be expended under the authority of this
182 section shall not exceed the unexpended balance of the funds
183 remaining as of June 30, 2023 from the amount authorized for the
184 previous fiscal year. In addition, this reappropriation shall not
185 change the purpose for which the funds were originally authorized.

186 **SECTION 16.** The following sum, or so much thereof as may be
187 necessary, is reappropriated out of any money in the Capital
188 Expense Fund not otherwise appropriated, for the Mississippi
189 Department of Insurance for the purpose of reauthorizing the
190 expenditure of Capital Expense Funds for the purpose of purchasing
191 smoke alarms, as authorized in House Bill No. 1593, 2022 Regular
192 Session, for the fiscal year beginning July 1, 2023, and ending
193 June 30, 2024.....\$ 50,000.00.

194 Notwithstanding the amount reappropriated under this section,
195 the amount that may be expended under the authority of this
196 section shall not exceed the unexpended balance of the funds
197 remaining as of June 30, 2023 from the amount authorized for the
198 previous fiscal year. In addition, this reappropriation shall not
199 change the purpose for which the funds were originally authorized.

200 **SECTION 17.** With the funds appropriated herein, the
201 Mississippi Insurance Department is authorized to make payment for
202 expenses incurred during Fiscal Year 2021 to the National

203 Association of Insurance Commissioners in an amount not to exceed
204 Fifteen Thousand Seven Hundred and Seventy Dollars (\$15,770.00).

205 **SECTION 18.** The money herein appropriated shall be paid by
206 the State Treasurer out of any money in the State Treasury to the
207 credit of the proper fund or funds as set forth in this act, upon
208 warrants issued by the State Fiscal Officer; and the State Fiscal
209 Officer shall issue his warrants upon requisitions signed by the
210 proper person, officer or officers, in the manner provided by law.

211 **SECTION 19.** This act shall take effect and be in force from
212 and after July 1, 2023, and shall stand repealed June 29, 2023.

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

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 2024.

SS15\HB1605A.J

Eugene S. Clarke
Secretary of the Senate