

By: Representative Read

To: Appropriations A; State
Affairs

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1355

1 AN ACT TO AMEND SECTION 25-9-147, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE LEGISLATURE, UPON CONSULTATION WITH THE STATE
3 PERSONNEL BOARD, TO DEVELOP SALARY FUNDING LEVELS FOR EACH STATE
4 AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD; TO REQUIRE
5 AN AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD TO ENSURE
6 THAT ALL PERSONAL SERVICES ACTIONS AND PAYROLL WILL NOT EXCEED THE
7 SALARY FUNDING LEVELS PROVIDED BY THE STATE PERSONNEL BOARD; TO
8 REQUIRE AN AGENCY TO CONTACT THE STATE PERSONNEL BOARD, THE
9 LEGISLATIVE BUDGET OFFICE AND THE STATE FISCAL OFFICER TO REQUEST
10 A REVISED SALARY FUNDING LEVEL IF THE AGENCY DETERMINES THAT THE
11 SALARY FUNDING LEVEL IS INSUFFICIENT; TO AUTHORIZE THE STATE
12 PERSONNEL BOARD TO APPROVE OR DENY REQUESTS TO REVISE THE SALARY
13 FUNDING LEVELS; TO REQUIRE THE STATE PERSONNEL BOARD TO SEND
14 NOTIFICATION TO CERTAIN ENTITIES WHEN THE STATE PERSONNEL BOARD
15 APPROVES OR DENIES A REQUEST TO REVISE AN AGENCY'S SALARY FUNDING
16 LEVEL; AND FOR RELATED PURPOSES.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 **SECTION 1.** Section 25-9-147, Mississippi Code of 1972, is
19 amended as follows:

20 25-9-147. (1) The State Personnel Board shall review on an
21 annual basis the variable compensation plan adopted by the
22 Legislature at the regular session of 1981 and subsequently
23 implemented by the State Personnel Board. Each state department
24 or agency subject to the variable compensation plan shall prepare
25 an annual written report under the direction of the head of that



26 department or agency outlining the impact which the plan has had
27 on that department or agency during the preceding fiscal year.
28 Such department or agency report shall be submitted to the State
29 Personnel Board and shall become a part of the board's annual
30 review of the variable compensation plan. After conducting its
31 annual review of the plan and studying the report of each
32 department or agency, the State Personnel Board shall prepare a
33 written legislative report, to be submitted to the members of the
34 Mississippi Legislature prior to January 1 of each year. This
35 written report shall accurately reflect the effect of the variable
36 compensation plan on the various departments or agencies subject
37 to the plan. * * * The plan shall be named the "Colonel Guy
38 Groff/Neville Kenning Variable Compensation Plan."

39 (2) The Legislature, upon consultation with the State
40 Personnel Board, shall develop salary funding levels for each
41 state agency under the purview of the State Personnel Board. The
42 salary funding level will be developed for each fiscal year with
43 information provided by the State Personnel Board and the state
44 agency. The Legislative Budget Office shall provide a detailed
45 listing of salary funding levels for each fiscal year to the State
46 Personnel Board within thirty (30) days after the date of sine die
47 adjournment of the regular legislative session. The State
48 Personnel Board will then provide the salary funding levels to all
49 agencies under their purview.



50 (3) An agency under the purview of the State Personnel Board
51 shall ensure that all personal services actions and payroll will
52 not exceed the salary funding levels provided by the State
53 Personnel Board. The State Personnel Board shall monitor the
54 impact of personal services actions to ensure their projected cost
55 will not exceed the salary funding levels.

56 (4) If an agency determines that the salary funding level is
57 insufficient, the agency shall contact the State Personnel Board,
58 the Legislative Budget Office and the State Fiscal Officer to
59 request a revised salary funding level. The State Personnel Board
60 shall have the authority to approve or deny requests to revise the
61 salary funding levels. When the State Personnel Board approves or
62 denies a request, it shall send notification of the approval or
63 denial with justification to the Chairmen of the House and Senate
64 Appropriations and the Legislative Budget Office. The State
65 Fiscal Officer shall certify that funds are available to be
66 transferred.

67 **SECTION 2.** This act shall take effect and be in force from
68 and after its passage.

