

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.

