

House Amendments to Senate Bill No. 3127

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE 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:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 Treasury to the credit of the State Personnel Board for the
7 support and maintenance of the State Personnel Board for the
8 fiscal year beginning July 1, 2004, and ending June 30, 2005.....
9 \$ 4,846,640.00.

10 **SECTION 2.** Of the funds appropriated under the provisions of
11 Section 1, the following positions are authorized:

12 AUTHORIZED POSITIONS:

13 Permanent:	Full Time.....	62
14	Part Time.....	2
15 Time-Limited:	Full Time.....	0
16	Part Time.....	0

17 With the funds herein appropriated, it is the intention of
18 the Legislature that it shall be the agency's responsibility to
19 make certain that funds required to be appropriated for "Personal
20 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
21 funds appropriated for that purpose, unless programs or positions
22 are added to the agency's Fiscal Year 2006 budget by the
23 Mississippi Legislature. Based on data provided by the
24 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. It shall be the responsibility of the agency head to insure
28 that no single personnel action increases this projected annual
29 cost and/or the Fiscal Year 2005 appropriation for "Personal

30 Services" when annualized, with the exception of escalated funds.
31 If, at the time the agency takes any action to change "Personal
32 Services," the State Personnel Board determines that the agency
33 has taken an action which would cause the agency to exceed this
34 projected annual cost or the Fiscal Year 2005 "Personal Services"
35 appropriated level, when annualized, then only those actions which
36 reduce the projected annual cost and/or the appropriation
37 requirement will be processed by the State Personnel Board until
38 such time as the requirements of this provision are met.

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 **SECTION 3.** The funds authorized herein shall be used to fund
53 all operations of the agency with the following prohibitions:

54 (1) The agency shall not fill any current or future vacant
55 positions;

56 (2) The agency shall not take any action to promote or
57 otherwise award salary increases through reallocation,
58 reclassification, realignment, education benchmark, career ladder,
59 or any other means to increase salaries of employees or positions
60 except as allowed under the provisions set forth in House Bill No.
61 1279, 2004 Regular Session;

62 (3) The agency shall not expend funds for out-of-state
63 travel except as allowed under the provisions set forth in House
64 Bill No. 1279, 2004 Regular Session;

65 (4) The agency shall not expend funds for the purchase of or
66 contract for cellular phones, two-way radios or pagers, except for
67 support of employees in the Department of Public Safety and the
68 Bureau of Narcotics as recommended by Information Technology
69 Services or as allowed under the provisions set forth in House
70 Bill No. 1279, 2004 Regular Session;

71 (5) The agency shall not expend funds to publish or
72 distribute any annual reports or other publications;

73 (6) The agency shall not expend funds for public relation
74 activities regarding the functions, programs or services of the
75 agency except as allowed under the provisions set forth in House
76 Bill No. 1279, 2004 Regular Session;

77 (7) The agency shall not advertise the functions, programs
78 or services of the agency except that the Mississippi Development
79 Authority is authorized to expend funds for advertising to carry
80 out the purposes of key programs administered by the authority;

81 (8) The agency shall not expend funds for staff development
82 or training services;

83 (9) The agency shall not expend funds for the purchase of
84 new or replacement equipment or furniture, excluding lease
85 purchase payments on agreements in effect upon passage of this
86 appropriation bill, except as allowed under the provisions set
87 forth in House Bill No. 1279, 2004 Regular Session.

88 **SECTION 4.** It is the intention of the Legislature that none
89 of the funds appropriated above shall be expended unless members
90 of the Mississippi House of Representatives and Mississippi Senate
91 are notified at least five (5) days prior to a public ceremony
92 announcing the award of any grant in their district or any public
93 announcement or ceremony regarding the groundbreaking or opening
94 of a facility, roadway or bridge for which the Legislature has
95 made funds available. Any signage regarding any public event or
96 any new facility, roadway or bridge shall include the following
97 language: "Funds were made available for this project by the
98 Mississippi State Legislature."

99 **SECTION 5.** It is the intention of the Legislature that the
100 State Personnel Board shall maintain complete accounting and
101 personnel records related to the expenditure of all funds
102 appropriated under this act and that such records shall be in the
103 same format and level of detail as maintained for Fiscal Year
104 2004. It is further the intention of the Legislature that the
105 agency's budget request for Fiscal Year 2006 shall be submitted to
106 the Joint Legislative Budget Committee in a format and level of
107 detail comparable to the format and level of detail provided
108 during the Fiscal Year 2005 budget request process.

109 **SECTION 6.** It is the intention of the Legislature that the
110 State Personnel Board shall have the authority to escalate and
111 expend funds received from state agencies for reimbursement of
112 costs associated with the hiring of court reporters used in the
113 Employee Appeals Process. Such funds shall be received and
114 expended under the rules and regulations of the Department of
115 Finance and Administration in a manner consistent with the
116 escalation of federal funds.

117 **SECTION 7.** The money herein appropriated shall be paid by
118 the State Treasurer out of any money in the State Treasury to the
119 credit of the proper fund or funds as set forth in this act, upon
120 warrants issued by the State Fiscal Officer, and the State Fiscal
121 Officer shall issue his warrants upon requisitions signed by the
122 proper person, officer or officers in the manner provided by law.

123 **SECTION 8.** This act shall take effect and be in force from
124 and after July 1, 2004.

HR05\SB3127A.J

Don Richardson
Clerk of the House of Representatives