

By: Representatives Weathersby, Dickson,
Barnett, Hamilton (109th), Huddleston,
Jennings, Warren

To: Appropriations

HOUSE BILL NO. 1574
(As Sent to Governor)

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 2007.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in any special
7 fund in the State Treasury to the credit of the Mississippi
8 Department of Insurance which is comprised of special source funds
9 collected by or otherwise available to the department, for the
10 purpose of defraying the expenses of the department for the fiscal
11 year beginning July 1, 2006, and ending June 30, 2007.....
12 \$ 8,470,397.00.

13 **SECTION 2.** Of the funds appropriated under the provisions of
14 Section 1, not more than the amounts set forth below shall be
15 expended for the respective major objects or purposes of
16 expenditure:

17 MAJOR OBJECTS OF EXPENDITURE:

18	Personal Services:		
19	Salaries, Wages and Fringe Benefits..	\$	5,982,640.00
20	Travel and Subsistence.....		115,000.00
21	Contractual Services.....		1,973,500.00
22	Commodities.....		230,736.00
23	Capital Outlay:		
24	Other Than Equipment.....		0.00
25	Equipment.....		168,021.00
26	Subsidies, Loans and Grants.....		<u>500.00</u>
27	Total.....	\$	8,470,397.00

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time.....	117
30		Part Time.....	0
31	Time-Limited:	Full Time.....	0
32		Part Time.....	0

33 Funds are provided herein to adjust the Variable Compensation
34 Plan to ensure that all full-time employees receive a pay increase
35 equal to the realignment component of the Variable Compensation
36 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
37 with not more than one-half (1/2) to be awarded on July 1, 2006,
38 with the remainder to be awarded on January 1, 2007.

39 With the funds herein appropriated, it is the intention of
40 the Legislature that it shall be the agency's responsibility to
41 make certain that funds required to be appropriated for "Personal
42 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
43 funds appropriated for that purpose, unless programs or positions
44 are added to the agency's Fiscal Year 2008 budget by the
45 Mississippi Legislature. Based on data provided by the
46 Legislative Budget Office, the State Personnel Board shall
47 determine and publish the projected annual cost to fully fund all
48 appropriated positions in compliance with the provisions of this
49 act. It shall be the responsibility of the agency head to insure
50 that no single personnel action increases this projected annual
51 cost and/or the Fiscal Year 2007 appropriation for "Personal
52 Services" when annualized, with the exception of escalated funds.
53 If, at the time the agency takes any action to change "Personal
54 Services," the State Personnel Board determines that the agency
55 has taken an action which would cause the agency to exceed this
56 projected annual cost or the Fiscal Year 2007 "Personal Services"
57 appropriated level, when annualized, then only those actions which
58 reduce the projected annual cost and/or the appropriation
59 requirement will be processed by the State Personnel Board until
60 such time as the requirements of this provision are met.

61 Any transfers or escalations shall be made in accordance with
62 the terms, conditions and procedures established by law or
63 allowable under the terms set forth within this act. The State
64 Personnel Board shall not escalate positions without written
65 approval from the Department of Finance and Administration. The
66 Department of Finance and Administration shall not provide written
67 approval to escalate any funds for salaries and/or positions
68 without proof of availability of new or additional funds above the
69 appropriated level.

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

74 **SECTION 3.** It is the intention of the Legislature that the
75 Mississippi Department of Insurance shall maintain complete
76 accounting and personnel records related to the expenditure of all
77 funds appropriated under this act and that such records shall be
78 in the same format and level of detail as maintained for Fiscal
79 Year 2006. It is further the intention of the Legislature that
80 the agency's budget request for Fiscal Year 2008 shall be
81 submitted to the Joint Legislative Budget Committee in a format
82 and level of detail comparable to the format and level of detail
83 provided during the Fiscal Year 2007 budget request process.

84 **SECTION 4.** Of the funds appropriated under the provisions of
85 Section 1, and authorized for expenditure in Section 2, Fifteen
86 Thousand Seventy-nine Dollars (\$15,079.00) is provided for the
87 Mississippi Fire Personnel Minimum Standards and Certification
88 Board.

89 **SECTION 5.** The following sum, or so much thereof as may be
90 necessary, is hereby appropriated out of any money in the special
91 fund in the State Treasury to the credit of the Rural Fire Truck
92 Acquisition Fund to the Mississippi Department of Insurance for

93 the Rural Fire Truck Acquisition Assistance Program for the fiscal
94 year beginning July 1, 2006, and ending June 30, 2007.....
95 \$ 5,093,191.00.

96 **SECTION 6.** The following sum, or so much thereof as may be
97 necessary, is hereby appropriated out of any money in the special
98 fund in the State Treasury to the credit of the Supplemental Rural
99 Fire Truck Fund, created in Section 1, Laws of 2004, Third
100 Extraordinary Session, to the Mississippi Department of Insurance
101 for the Supplemental Rural Fire Truck Acquisition Assistance
102 Program for the fiscal year beginning July 1, 2006, and ending
103 June 30, 2007..... \$ 2,600,000.00

104 **SECTION 7.** Of the funds appropriated under the provisions of
105 Section 1 and authorized for expenditure in Section 2, funds in
106 the amount of Ten Thousand Dollars (\$10,000.00) are provided and
107 shall be expended to pay the annual dues for the National
108 Conference of Insurance Legislators.

109 **SECTION 8.** It is the intention of the Legislature that none
110 of the funds appropriated above shall be expended unless members
111 of the Mississippi House of Representatives and Mississippi Senate
112 are notified at least five (5) days prior to a public ceremony
113 announcing the award of any grant in their district or any public
114 announcement or ceremony regarding the groundbreaking or opening
115 of a facility, roadway or bridge for which the Legislature has
116 made funds available. Any signage regarding any public event or
117 any new facility, roadway or bridge shall include the following
118 language: "Funds were made available for this project by the
119 Mississippi State Legislature."

120 **SECTION 9.** It is the intention of the Legislature that
121 whenever two (2) or more bids are received by this agency for the
122 purchase of commodities or equipment, and whenever all things
123 stated in such received bids are equal with respect to price,
124 quality and service, the Mississippi Industries for the Blind
125 shall be given preference. A similar preference shall be given to

126 the Mississippi Industries for the Blind whenever purchases are
127 made without competitive bids.

128 **SECTION 10.** The money herein appropriated shall be paid by
129 the State Treasurer out of any money in the State Treasury to the
130 credit of the proper fund or funds as set forth in this act, upon
131 warrants issued by the State Fiscal Officer; and the State Fiscal
132 Officer shall issue his warrants upon requisitions signed by the
133 proper person, officer or officers, in the manner provided by law.

134 **SECTION 11.** This act shall take effect and be in force from
135 and after July 1, 2006.