

Senate Amendments to House Bill No. 1602

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 hereby appropriated out of any money in the State
7 Treasury to the credit of the Public Service Commission Regulation
8 Fund, for the purpose of defraying the expenses of the Mississippi
9 Public Service Commission for the fiscal year beginning
10 July 1, 2006, and ending June 30, 2007.....
11 \$ 5,137,339.00.

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

16 **MAJOR OBJECTS OF EXPENDITURE:**

17 Personal Services:

18 Salaries, Wages and Fringe Benefits..	\$	3,654,713.00
19 Travel and Subsistence.....		350,000.00
20 Contractual Services.....		787,306.00
21 Commodities.....		115,000.00
22 Capital Outlay:		
23 Other Than Equipment.....		0.00
24 Equipment.....		223,320.00
25 Subsidies, Loans and Grants.....		<u>7,000.00</u>
26 Total.....	\$	5,137,339.00

27 **AUTHORIZED POSITIONS:**

28 Permanent:	Full Time.....	70
29	Part Time.....	1
30 Time-Limited:	Full Time.....	0

31 Part Time..... 0

32 Funds are provided herein to adjust the Variable Compensation
33 Plan to ensure that all full-time employees receive a pay increase
34 equal to the realignment component of the Variable Compensation
35 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
36 beginning on July 1, 2006.

37 Pursuant to policies established by the State Personnel
38 Board, agency heads may, on a case by case basis and within funds
39 available, recommend equity salary adjustments to Fiscal Year 2006
40 agency appropriation acts where application of limitations result
41 in awarding one employee a salary increase greater than another
42 employee within the same agency, with the same job classification
43 series and greater longevity.

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

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

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

79 **SECTION 3.** None of the funds herein appropriated by this act
80 to the Public Service Commission shall be expended for any purpose
81 that is not actually required or necessary for performing any of
82 the powers or duties of the Mississippi Public Service Commission
83 that are authorized by the Mississippi Constitution of 1890, state
84 or federal law, or rules or regulations that implement state or
85 federal law.

86 **SECTION 4.** It is the intention of the Legislature that the
87 Public Service Commission shall maintain complete accounting and
88 personnel records related to the expenditure of all funds
89 appropriated under this act and that such records shall be in the
90 same format and level of detail as maintained for Fiscal Year
91 2006. It is further the intention of the Legislature that the
92 agency's budget request for Fiscal Year 2008 shall be submitted to
93 the Joint Legislative Budget Committee in a format and level of
94 detail comparable to the format and level of detail provided
95 during the Fiscal Year 2007 budget request process.

96 **SECTION 5.** In addition to all other sums herein
97 appropriated, the following sum, or so much thereof as may be
98 necessary, is appropriated out of any money in the State Treasury
99 to the credit of the Public Service Commission, for the purpose of
100 defraying the expenses of the Public Service Commission to

101 administer the Mississippi Telephone Solicitation Act, for the
102 fiscal year beginning July 1, 2006, and ending June 30, 2007.....
103 \$ 160,000.00.

104 **SECTION 6.** It is the intention of the Legislature that
105 whenever two (2) or more bids are received by this agency for the
106 purchase of commodities or equipment, and whenever all things
107 stated in such received bids are equal with respect to price,
108 quality and service, the Mississippi Industries for the Blind
109 shall be given preference. A similar preference shall be given to
110 the Mississippi Industries for the Blind whenever purchases are
111 made without competitive bids.

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

118 **SECTION 8.** This act shall take effect and be in force from
119 and after July 1, 2006.

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John O. Gilbert
Secretary of the Senate