

House Amendments to Senate Bill No. 3049

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 General Fund not otherwise appropriated, to defray the expenses of
7 the Department of Finance and Administration for the fiscal year
8 beginning July 1, 2019, and ending June 30, 2020.....
9\$ 38,074,591.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Finance and
13 Administration for the purpose of defraying the expenses incurred
14 in the operation of the various offices of the department for the
15 fiscal year beginning July 1, 2019, and ending June 30, 2020.....
16\$ 26,064,246.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 this act, the following positions are authorized:

19 AUTHORIZED POSITIONS:

20 Permanent: Full Time..... 470

21	Part Time.....	3
22	Time-Limited: Full Time.....	1
23	Part Time.....	0

24 With the funds herein appropriated, it shall be the agency's
25 responsibility to make certain that funds required to be
26 appropriated for "Personal Services" for Fiscal Year 2021 do not
27 exceed Fiscal Year 2020 funds appropriated for that purpose,
28 unless programs or positions are added to the agency's Fiscal Year
29 2020 budget by the Mississippi Legislature. Based on data
30 provided by the Legislative Budget Office, the State Personnel
31 Board shall determine and publish the projected annual cost to
32 fully fund all appropriated positions in compliance with the
33 provisions of this act. It shall be the responsibility of the
34 agency head to ensure that no single personnel action increases
35 this projected annual cost and/or the Fiscal Year 2020
36 appropriations for "Personal Services" when annualized, with the
37 exception of escalated funds and the award of benchmarks. If, at
38 the time the agency takes any action to change "Personal
39 Services," the State Personnel Board determines that the agency
40 has taken an action which would cause the agency to exceed this
41 projected annual cost or the Fiscal Year 2020 "Personal Services"
42 appropriated level, when annualized, then only those actions which
43 reduce the projected annual cost and/or the appropriation
44 requirement will be processed by the State Personnel Board until
45 such time as the requirements of this provision are met.

46 Any transfers or escalations shall be made in accordance with
47 the terms, conditions and procedures established by law or
48 allowable under the terms set forth within this act. The State
49 Personnel Board shall not escalate positions without written
50 approval from the Department of Finance and Administration. The
51 Department of Finance and Administration shall not provide written
52 approval to escalate any funds for salaries and/or positions
53 without proof of availability of new or additional funds above the
54 appropriated level.

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

59 None of the funds herein appropriated shall be used in
60 violation of Internal Revenue Service's Publication 15-A relating
61 to the reporting of income paid to contract employees, as
62 interpreted by the Office of the State Auditor.

63 Provided that a report based on expenditures incurred during
64 the current and immediate past fiscal years shall be provided to
65 each regularly scheduled legislative session. This report should
66 reflect expenditures as a result of the operation of the Robert E.
67 Lee Building, the Woolfolk State Office Building, the Gartin and
68 Sillers Buildings, the Capitol Buildings, the Central High School
69 Building, the Robert G. Clark, Jr. Building and other state
70 buildings, and this report should contain any steps taken to
71 reduce operating costs.

72 It is also the intention of the Legislature that no
73 state-owned aircraft shall be utilized by any person except for
74 official business only.

75 **SECTION 4.** In addition to all other sums herein
76 appropriated, the following sum, or so much thereof as may be
77 necessary, is hereby appropriated out of any money in the Tort
78 Claims Trust Fund not otherwise appropriated, for the purpose of
79 defraying the expenses of the Tort Claims Board in the
80 administration of the Tort Claims Act for the fiscal year
81 beginning July 1, 2019, and ending June 30, 2020.....
82\$ 6,535,566.00.

83 **SECTION 5.** Of the funds appropriated under the provisions of
84 this act, the following positions are authorized:

85 AUTHORIZED POSITIONS:

86	Permanent:	Full Time.....	8
87		Part Time.....	0
88	Time-Limited:	Full Time.....	0
89		Part Time.....	0

90 With the funds herein appropriated, it shall be the agency's
91 responsibility to make certain that funds required to be
92 appropriated for "Personal Services" for Fiscal Year 2021 do not
93 exceed Fiscal Year 2020 funds appropriated for that purpose,
94 unless programs or positions are added to the agency's Fiscal Year
95 2020 budget by the Mississippi Legislature. Based on data
96 provided by the Legislative Budget Office, the State Personnel
97 Board shall determine and publish the projected annual cost to

98 fully fund all appropriated positions in compliance with the
99 provisions of this act. It shall be the responsibility of the
100 agency head to ensure that no single personnel action increases
101 this projected annual cost and/or the Fiscal Year 2020
102 appropriations for "Personal Services" when annualized, with the
103 exception of escalated funds and the award of benchmarks. If, at
104 the time the agency takes any action to change "Personal
105 Services," the State Personnel Board determines that the agency
106 has taken an action which would cause the agency to exceed this
107 projected annual cost or the Fiscal Year 2020 "Personal Services"
108 appropriated level, when annualized, then only those actions which
109 reduce the projected annual cost and/or the appropriation
110 requirement will be processed by the State Personnel Board until
111 such time as the requirements of this provision are met.

112 Any transfers or escalations shall be made in accordance with
113 the terms, conditions and procedures established by law or
114 allowable under the terms set forth within this act. The State
115 Personnel Board shall not escalate positions without written
116 approval from the Department of Finance and Administration. The
117 Department of Finance and Administration shall not provide written
118 approval to escalate any funds for salaries and/or positions
119 without proof of availability of new or additional funds above the
120 appropriated level.

121 No general funds authorized to be expended herein shall be
122 used to replace federal funds and/or other special funds which are

123 being used for salaries authorized under the provisions of this
124 act and which are withdrawn and no longer available.

125 None of the funds herein appropriated shall be used in
126 violation of Internal Revenue Service's Publication 15-A relating
127 to the reporting of income paid to contract employees, as
128 interpreted by the Office of the State Auditor.

129 **SECTION 6.** The following sum, or so much thereof as may be
130 necessary, is hereby appropriated out of any money in the State
131 General Fund not otherwise appropriated, for the purpose of
132 defraying the expenses of the Mississippi Commission on the Status
133 of Women for the fiscal year beginning July 1, 2019, and ending
134 June 30, 2020.....\$ 42,100.00.

135 **SECTION 7.** The following sum, or so much thereof as may be
136 necessary, is hereby appropriated out of any money in the State
137 Treasury to the credit of the Mississippi Commission on the Status
138 of Women for the purpose of defraying the expenses of the
139 commission for the fiscal year beginning July 1, 2019, and ending
140 June 30, 2020.....\$ 7,265.00.

141 This appropriation is made for the purpose of providing funds
142 to defray the expense of the Mississippi Commission on the Status
143 of Women as established pursuant to Sections 43-59-1 through
144 43-59-14, Mississippi Code of 1972.

145 **SECTION 8.** Of the funds appropriated under the provisions of
146 Sections 6 and 7, the following positions are authorized:

147 AUTHORIZED POSITIONS:

148 Permanent: Full Time..... 1

149	Part Time.....	0
150	Time-Limited: Full Time.....	0
151	Part Time.....	0

152 With the funds herein appropriated, it shall be the agency's
153 responsibility to make certain that funds required to be
154 appropriated for "Personal Services" for Fiscal Year 2021 do not
155 exceed Fiscal Year 2020 funds appropriated for that purpose,
156 unless programs or positions are added to the agency's Fiscal Year
157 2020 budget by the Mississippi Legislature. Based on data
158 provided by the Legislative Budget Office, the State Personnel
159 Board shall determine and publish the projected annual cost to
160 fully fund all appropriated positions in compliance with the
161 provisions of this act. It shall be the responsibility of the
162 agency head to ensure that no single personnel action increases
163 this projected annual cost and/or the Fiscal Year 2020
164 appropriations for "Personal Services" when annualized, with the
165 exception of escalated funds and the award of benchmarks. If, at
166 the time the agency takes any action to change "Personal
167 Services," the State Personnel Board determines that the agency
168 has taken an action which would cause the agency to exceed this
169 projected annual cost or the Fiscal Year 2020 "Personal Services"
170 appropriated level, when annualized, then only those actions which
171 reduce the projected annual cost and/or the appropriation
172 requirement will be processed by the State Personnel Board until
173 such time as the requirements of this provision are met.

174 Any transfers or escalations shall be made in accordance with
175 the terms, conditions and procedures established by law or
176 allowable under the terms set forth within this act. The State
177 Personnel Board shall not escalate positions without written
178 approval from the Department of Finance and Administration. The
179 Department of Finance and Administration shall not provide written
180 approval to escalate any funds for salaries and/or positions
181 without proof of availability of new or additional funds above the
182 appropriated level.

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

187 None of the funds herein appropriated shall be used in
188 violation of Internal Revenue Service's Publication 15-A relating
189 to the reporting of income paid to contract employees, as
190 interpreted by the Office of the State Auditor.

191 **SECTION 9.** It is the intention of the Legislature that the
192 Department of Finance and Administration shall maintain complete
193 accounting and personnel records related to the expenditure of all
194 funds appropriated under this act and that such records shall be
195 in the same format and level of detail as maintained for Fiscal
196 Year 2019. It is further the intention of the Legislature that
197 the agency's budget request for Fiscal Year 2021 shall be
198 submitted to the Joint Legislative Budget Committee in a format

199 and level of detail comparable to the format and level of detail
200 provided during the Fiscal Year 2020 budget request process.

201 **SECTION 10.** The department is authorized to expend available
202 funds on technology or equipment upgrades or replacements when it
203 will generate savings through efficiency or when the savings
204 generated from such upgrades or replacements exceed expenditures
205 thereof.

206 **SECTION 11.** It is the intention of the Legislature that
207 whenever two (2) or more bids are received by this agency for the
208 purchase of commodities or equipment, and whenever all things
209 stated in such received bids are equal with respect to price,
210 quality and service, the Mississippi Industries for the Blind
211 shall be given preference. A similar preference shall be given to
212 the Mississippi Industries for the Blind whenever purchases are
213 made without competitive bids.

214 **SECTION 12.** Of the funds appropriated in Section 1, an
215 amount not to exceed Four Hundred Thousand Dollars (\$400,000.00)
216 and ten (10) positions are provided in order to provide the
217 required Police Protection services for such governmental
218 organizations, under the rules and regulations of the Department
219 of Finance and Administration.

220 **SECTION 13.** The Bureau of Building, Grounds and Real
221 Property Management of the Office of General Services is hereby
222 expressly authorized and empowered to receive, budget and expend
223 any state, local or other source funds designated for supplemental
224 funding of construction and/or repairs and renovation projects.

225 The Bureau of Building, Grounds and Real Property Management of
226 the Office of General Services shall not use any of the funds
227 authorized in this section to pay salaries. For the purposes of
228 this section, the Bureau of Building, Grounds and Real Property
229 Management of the Office of General Services does not have the
230 authority to escalate from the Capital Expense Fund or the Working
231 Cash-Stabilization Reserve Fund.

232 **SECTION 14.** Of the funds appropriated in Section 2, it is
233 the intention of the Legislature that an amount not to exceed Four
234 Million Five Hundred Thousand Dollars (\$4,500,000.00) is
235 authorized to be expended for the purpose of transferring funds to
236 the Bureau of Building, Grounds and Real Property Management for
237 the administration of projects for the repair and maintenance of
238 state-owned buildings.

239 **SECTION 15.** Of the funds appropriated in Section 2, an
240 amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is
241 authorized to be expended to defray any shortfall in the Master
242 Lease Purchase Program as defined in Section 31-7-10, Mississippi
243 Code of 1972.

244 **SECTION 16.** Of the funds herein appropriated, it is the
245 intention of the Legislature that two (2) of the allotted
246 Full-Time Permanent Positions in Section 3 of this bill may be
247 used for performing related administrative duties of the State
248 Property Insurance program.

249 **SECTION 17.** The following sum, or so much thereof as may be
250 necessary, is appropriated out of any money in the State General

251 Fund not otherwise appropriated, to the Department of Finance and
252 Administration for the purpose of providing a grant to the
253 Mississippi Home Corporation, for the fiscal year beginning
254 July 1, 2019, and ending June 30, 2020..... \$ 1,484,450.00.

255 **SECTION 18.** The funds appropriated in Section 7 shall be
256 targeted to individuals with disabilities or individuals with
257 serious mental illnesses who:

258 (1) Are being discharged from a state psychiatric hospital
259 after a stay of more than ninety (90) days; or, nursing facility,
260 or intermediate care facility for individuals with intellectual
261 disabilities after a stay of more than ninety (90) days; or

262 (2) Have been discharged from a state psychiatric hospital
263 within the last two (2) years; and

264 (a) Had multiple hospital visits in the last year due
265 to mental illness; or

266 (b) Are known to the mental health or state housing
267 agency to have been arrested or incarcerated in the last year due
268 to conduct related to mental illness; or

269 (c) Are known to the mental health or state housing
270 agency to have been homeless for one (1) full year or have had
271 four (4) or more episodes of homelessness in the last three (3)
272 years.

273 (3) Lack a fixed, regular, and adequate nighttime residence
274 and includes a subset for an individual who is exiting an
275 institution where he or she resided for ninety (90) days or less

276 and who resides in an emergency shelter or a place not meant for
277 human habitation immediately before entering that institution.

278 Any funds appropriated herein to hire additional staff or
279 employ staff shall only be used to implement this housing program.

280 **SECTION 19.** It is the intention of the Legislature that an
281 annual financial report based upon the state's fiscal year shall
282 be provided to the Attorney General, the Chairman of Senate
283 Appropriations, the Chairman of House Appropriations, and the
284 Legislative Budget Office.

285 **SECTION 20.** It is the intention of the Legislature that none
286 of the funds appropriated under the provisions of this act for the
287 Mississippi Home Corporation (MHC) shall be expended for the
288 purpose of making a payment of any kind or for any purpose,
289 directly or indirectly, to a member of the State of Mississippi
290 Legislature, state official, MHC board member, or person who has
291 been a member of the MHC within the last year.

292 **SECTION 21.** Of the funds appropriated in Section 2, Seven
293 Million Dollars (\$7,000,000.00) shall be expended from the Capitol
294 Complex Improvement District Project Fund, as established in
295 Section 29-5-215, Mississippi Code of 1972.

296 **SECTION 22.** It is the intention of the Legislature that the
297 funds herein appropriated shall be expended in compliance with
298 Section 27-104-25, Mississippi Code of 1972, that no state agency
299 shall incur obligations or indebtedness in excess of their
300 appropriation and that the responsible officers, either personally

301 or upon their official bonds, shall be held responsible for
302 actions contrary to this provision.

303 **SECTION 23.** The money herein appropriated shall be paid by
304 the State Treasurer out of any money in the State Treasury to the
305 credit of the proper fund or funds as set forth in this act, upon
306 warrants issued by the State Fiscal Officer; and the State Fiscal
307 Officer shall issue his warrants upon requisitions signed by the
308 proper person, officer or officers, in the manner provided by law.

309 **SECTION 24.** This act shall take effect and be in force from
310 and after July 1, 2019, and shall stand repealed June 30, 2019.

HR13\SB3049A.J

Andrew Ketchings
Clerk of the House of Representatives