

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 3054**

**BY: Committee**

**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, for the support and  
7 maintenance of the Secretary of State for the fiscal year  
8 beginning July 1, 2019, and ending June 30, 2020.....  
9 .....\$       13,386,206.00.

10           **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby authorized for expenditure out of any special  
12 source funds which are collected by or otherwise become available  
13 for the purpose of defraying the expenses of the Secretary of



14 State for the fiscal year beginning July 1, 2019, and ending June  
15 30, 2020.....\$ 17,733,541.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of  
17 Section 1, the following positions are authorized:

18 AUTHORIZED POSITIONS:

19	Permanent:	Full Time.....	98
20		Part Time.....	0
21	Time-Limited:	Full Time.....	13
22		Part Time.....	0

23 With the funds herein appropriated, it shall be the agency's  
24 responsibility to make certain that funds required to be  
25 appropriated for "Personal Services" for Fiscal Year 2021 do not  
26 exceed Fiscal Year 2020 funds appropriated for that purpose,  
27 unless programs or positions are added to the agency's Fiscal Year  
28 2020 budget by the Mississippi Legislature. Based on data  
29 provided by the Legislative Budget Office, the State Personnel  
30 Board shall determine and publish the projected annual cost to  
31 fully fund all appropriated positions in compliance with the  
32 provisions of this act. It shall be the responsibility of the  
33 agency head to ensure that no single personnel action increases  
34 this projected annual cost and/or the Fiscal Year 2020  
35 appropriations for "Personal Services" when annualized, with the  
36 exception of escalated funds and the award of benchmarks. If, at  
37 the time the agency takes any action to change "Personal  
38 Services," the State Personnel Board determines that the agency



39 has taken an action which would cause the agency to exceed this  
40 projected annual cost or the Fiscal Year 2020 "Personal Services"  
41 appropriated level, when annualized, then only those actions which  
42 reduce the projected annual cost and/or the appropriation  
43 requirement will be processed by the State Personnel Board until  
44 such time as the requirements of this provision are met.

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

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

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

62 **SECTION 4.** None of the funds appropriated by this act shall  
63 be expended for any purpose that is not actually required or



64 necessary for performing any of the powers or duties of the Office  
65 of the Secretary of State that are authorized by the Mississippi  
66 Constitution of 1890, state or federal law, or rules or  
67 regulations that implement state or federal law.

68       **SECTION 5.** No part of the funds appropriated herein shall be  
69 used, either directly or indirectly, for the purpose of paying any  
70 clerk, stenographer, assistant, deputy, or other person who may be  
71 related by blood or marriage within the third degree, computed by  
72 the rules of the civil law, to the official employing or having  
73 the right of employment or selection thereof; and in the event of  
74 any such payment, then the official or person approving and making  
75 or receiving such payment shall be jointly and severally liable to  
76 return to the State of Mississippi and to pay into the State  
77 Treasury three (3) times any such amount so paid or received, to  
78 be recovered at suit of the Attorney General; provided that when  
79 the relationship is by affinity and the person through whom the  
80 relationship was established is dead, this provision shall not  
81 apply.

82       **SECTION 6.** Of the funds appropriated in Section 1, the  
83 Secretary of State may use funds appropriated for the purposes of  
84 defraying litigation expenses associated with the enforcement of  
85 the Mississippi Securities Act, the Regulation of Charitable  
86 Solicitations Act, and the administration of the Public Trust.

87       **SECTION 7.** In compliance with the "Mississippi Performance  
88 Budget and Strategic Planning Act of 1994," it is the intent of



89 the Legislature that the funds provided herein shall be utilized  
 90 in the most efficient and effective manner possible to achieve the  
 91 intended mission of this agency. Based on the funding authorized,  
 92 this agency shall make every effort to attain the targeted  
 93 performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
96 Business Services	
97       Phone Calls Answered within 10 Seconds (%)	92.00
98 Elections	
99       Voter Registrations Updated via Secure	
100           Online Website (Number of)	50.00
101       Poll Workers to Successfully Complete	
102           the Online Training Program (Number of)	82.00
103       Poll Workers who Successfully Complete	
104           the Online Poll Manager Training on	
105           their First Attempt (%)	60.00
106 Publications	
107       Visits to the Secretary of State's	
108           Website (Number of)	11,000,000.00
109 Public Lands	
110       Tax-Forfeited Properties Sold (Number of)	500.00
111 Support Services	
112       Support Services as a Percentage of	
113           Total Agency Expenditures (%)	27.00



114 A reporting of the degree to which the performance targets  
115 set above have been or are being achieved shall be provided in the  
116 agency's budget request submitted to the Joint Legislative Budget  
117 Committee for Fiscal Year 2021.

118 **SECTION 8.** Of the funds appropriated in Section 1, no more  
119 than Five Hundred Thousand Dollars (\$500,000.00) is provided for  
120 paying principal and interest on bond issues for county voting  
121 systems.

122 **SECTION 9.** Of the funds appropriated in Section 2, or so  
123 much thereof as may be necessary, is appropriated out of any money  
124 in the State Treasury to the credit of the Land Records  
125 Maintenance Fund, for the purpose of making distributions to local  
126 governments for taxes owed during the fiscal year.....  
127 .....\$ 1,750,000.00.

128 **SECTION 10.** Of the funds appropriated in Section 2, or so  
129 much thereof as may be necessary, is appropriated out of any money  
130 in the State Treasury to the credit of the Elections Support Fund,  
131 for the purpose of acquiring, upgrading, maintaining, or repairing  
132 voting equipment, systems, and supplies, hiring temporary  
133 technical support, conducting elections using such voting  
134 equipment or systems and training election officials during the  
135 fiscal year.....\$ 1,500,000.00.

136 **SECTION 11.** Of the funds appropriated in Section 2, or so  
137 much thereof as may be necessary, is appropriated out of any money  
138 in the State Treasury to the credit of the Public Trust Tidelands



139 Fund, and is authorized to be transferred by the Secretary of  
140 State to the Mississippi Department of Marine Resources in an  
141 amount not to exceed Ten Million Dollars (\$10,000,000.00).

142 **SECTION 12.** It is the intention of the Legislature that  
143 whenever two (2) or more bids are received by this agency for the  
144 purchase of commodities or equipment, and whenever all things  
145 stated in such received bids are equal with respect to price,  
146 quality and service, the Mississippi Industries for the Blind  
147 shall be given preference. A similar preference shall be given to  
148 the Mississippi Industries for the Blind whenever purchases are  
149 made without competitive bids.

150 **SECTION 13.** The money herein appropriated shall be paid by  
151 the State Treasurer out of any money in the State Treasury to the  
152 credit of the proper fund or funds as set forth in this act, upon  
153 warrants issued by the State Fiscal Officer; and the State Fiscal  
154 Officer shall issue his warrants upon requisitions signed by the  
155 proper person, officer or officers in the manner provided by law.

156 **SECTION 14.** This act shall take effect and be in force from  
157 and after July 1, 2019, and shall stand repealed June 30, 2019.

