

House Amendments to Senate Bill No. 2969

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, 2020, and ending June 30, 2021.....
9\$ 39,808,299.00.

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, 2020, and ending June 30, 2021.....
16\$ 31,311,138.00.

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..... 486

21	Part Time.....	3
22	Time-Limited: Full Time.....	0
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 2022 do not
27 exceed Fiscal Year 2021 funds appropriated for that purpose,
28 unless programs or positions are added to the agency's Fiscal Year
29 2021 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 2021
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 2021 "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 **SECTION 4.** In addition to all other sums herein
64 appropriated, the following sum, or so much thereof as may be
65 necessary, is hereby appropriated out of any money in the Tort
66 Claims Trust Fund not otherwise appropriated, for the purpose of
67 defraying the expenses of the Tort Claims Board in the
68 administration of the Tort Claims Act for the fiscal year
69 beginning July 1, 2020, and ending June 30, 2021.....
70\$ 6,549,647.00.

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

73 AUTHORIZED POSITIONS:

74	Permanent:	Full Time.....	8
75		Part Time.....	0
76	Time-Limited:	Full Time.....	0
77		Part Time.....	0

78 With the funds herein appropriated, it shall be the agency's
79 responsibility to make certain that funds required to be
80 appropriated for "Personal Services" for Fiscal Year 2022 do not
81 exceed Fiscal Year 2021 funds appropriated for that purpose,
82 unless programs or positions are added to the agency's Fiscal Year
83 2021 budget by the Mississippi Legislature. Based on data
84 provided by the Legislative Budget Office, the State Personnel
85 Board shall determine and publish the projected annual cost to
86 fully fund all appropriated positions in compliance with the
87 provisions of this act. It shall be the responsibility of the
88 agency head to ensure that no single personnel action increases
89 this projected annual cost and/or the Fiscal Year 2021
90 appropriations for "Personal Services" when annualized, with the
91 exception of escalated funds and the award of benchmarks. If, at
92 the time the agency takes any action to change "Personal
93 Services," the State Personnel Board determines that the agency
94 has taken an action which would cause the agency to exceed this
95 projected annual cost or the Fiscal Year 2021 "Personal Services"
96 appropriated level, when annualized, then only those actions which

97 reduce the projected annual cost and/or the appropriation
98 requirement will be processed by the State Personnel Board until
99 such time as the requirements of this provision are met.

100 Any transfers or escalations shall be made in accordance with
101 the terms, conditions and procedures established by law or
102 allowable under the terms set forth within this act. The State
103 Personnel Board shall not escalate positions without written
104 approval from the Department of Finance and Administration. The
105 Department of Finance and Administration shall not provide written
106 approval to escalate any funds for salaries and/or positions
107 without proof of availability of new or additional funds above the
108 appropriated level.

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

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

117 **SECTION 6.** The following sum, or so much thereof as may be
118 necessary, is hereby appropriated out of any money in the State
119 General Fund not otherwise appropriated, for the purpose of
120 defraying the expenses of the Mississippi Commission on the Status
121 of Women for the fiscal year beginning July 1, 2020, and ending
122 June 30, 2021.....\$ 42,100.00.

123 **SECTION 7.** The following sum, or so much thereof as may be
124 necessary, is hereby appropriated out of any money in the State
125 Treasury to the credit of the Mississippi Commission on the Status
126 of Women for the purpose of defraying the expenses of the
127 commission for the fiscal year beginning July 1, 2020, and ending
128 June 30, 2021.....\$ 7,265.00.

129 This appropriation is made for the purpose of providing funds
130 to defray the expense of the Mississippi Commission on the Status
131 of Women as established pursuant to Sections 43-59-1 through
132 43-59-14, Mississippi Code of 1972.

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

135 AUTHORIZED POSITIONS:

136	Permanent:	Full Time.....	1
137		Part Time.....	0
138	Time-Limited:	Full Time.....	0
139		Part Time.....	0

140 With the funds herein appropriated, it shall be the agency's
141 responsibility to make certain that funds required to be
142 appropriated for "Personal Services" for Fiscal Year 2022 do not
143 exceed Fiscal Year 2021 funds appropriated for that purpose,
144 unless programs or positions are added to the agency's Fiscal Year
145 2021 budget by the Mississippi Legislature. Based on data
146 provided by the Legislative Budget Office, the State Personnel
147 Board shall determine and publish the projected annual cost to
148 fully fund all appropriated positions in compliance with the

149 provisions of this act. It shall be the responsibility of the
150 agency head to ensure that no single personnel action increases
151 this projected annual cost and/or the Fiscal Year 2021
152 appropriations for "Personal Services" when annualized, with the
153 exception of escalated funds and the award of benchmarks. If, at
154 the time the agency takes any action to change "Personal
155 Services," the State Personnel Board determines that the agency
156 has taken an action which would cause the agency to exceed this
157 projected annual cost or the Fiscal Year 2021 "Personal Services"
158 appropriated level, when annualized, then only those actions which
159 reduce the projected annual cost and/or the appropriation
160 requirement will be processed by the State Personnel Board until
161 such time as the requirements of this provision are met.

162 Any transfers or escalations shall be made in accordance with
163 the terms, conditions and procedures established by law or
164 allowable under the terms set forth within this act. The State
165 Personnel Board shall not escalate positions without written
166 approval from the Department of Finance and Administration. The
167 Department of Finance and Administration shall not provide written
168 approval to escalate any funds for salaries and/or positions
169 without proof of availability of new or additional funds above the
170 appropriated level.

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

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

179 **SECTION 9.** It is the intention of the Legislature that the
180 Department of Finance and Administration shall maintain complete
181 accounting and personnel records related to the expenditure of all
182 funds appropriated under this act and that such records shall be
183 in the same format and level of detail as maintained for Fiscal
184 Year 2020. It is further the intention of the Legislature that
185 the agency's budget request for Fiscal Year 2022 shall be
186 submitted to the Joint Legislative Budget Committee in a format
187 and level of detail comparable to the format and level of detail
188 provided during the Fiscal Year 2021 budget request process.

189 **SECTION 10.** The department is authorized to expend available
190 funds on technology or equipment upgrades or replacements when it
191 will generate savings through efficiency or when the savings
192 generated from such upgrades or replacements exceed expenditures
193 thereof.

194 **SECTION 11.** It is the intention of the Legislature that
195 whenever two (2) or more bids are received by this agency for the
196 purchase of commodities or equipment, and whenever all things
197 stated in such received bids are equal with respect to price,
198 quality and service, the Mississippi Industries for the Blind
199 shall be given preference. A similar preference shall be given to

200 the Mississippi Industries for the Blind whenever purchases are
201 made without competitive bids.

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

208 **SECTION 13.** The Bureau of Building, Grounds and Real
209 Property Management of the Office of General Services is hereby
210 expressly authorized and empowered to receive, budget and expend
211 any state, local or other source funds designated for supplemental
212 funding of construction and/or repairs and renovation projects.
213 The Bureau of Building, Grounds and Real Property Management of
214 the Office of General Services shall not use any of the funds
215 authorized in this section to pay salaries. For the purposes of
216 this section, the Bureau of Building, Grounds and Real Property
217 Management of the Office of General Services does not have the
218 authority to escalate from the Capital Expense Fund or the Working
219 Cash-Stabilization Reserve Fund.

220 **SECTION 14.** Of the funds appropriated in Section 2, it is
221 the intention of the Legislature that an amount not to exceed Four
222 Million Five Hundred Thousand Dollars (\$4,500,000.00) is
223 authorized to be expended for the purpose of transferring funds to
224 the Bureau of Building, Grounds and Real Property Management for

225 the administration of projects for the repair and maintenance of
226 state-owned buildings.

227 **SECTION 15.** A report based on expenditures incurred during
228 the current and immediate past fiscal years shall be provided to
229 the Legislative Budget Office each regularly scheduled legislative
230 session. This report should reflect expenditures as a result of
231 the operation of the Robert E. Lee Building, the Woolfolk State
232 Office Building, the Gartin and Sillers Buildings, the Capitol
233 Buildings, the Central High School Building, the Robert G. Clark,
234 Jr. Building and other state buildings, and this report should
235 contain any steps taken to reduce operating costs.

236 **SECTION 16.** It is the intention of the Legislature that no
237 state-owned aircraft shall be utilized by any person except for
238 official business only.

239 **SECTION 17.** 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 18.** The following sum, or so much thereof as may be
245 necessary, is appropriated out of any money in the State General
246 Fund for the purpose of defraying the expenses of State Property
247 Insurance for the fiscal year beginning July 1, 2020, and ending
248 June 30, 2021.....\$ 9,398,958.00.

249 **SECTION 19.** Of the funds herein appropriated, it is the
250 intention of the Legislature that two (2) of the allotted

251 Full-Time Permanent Positions in Section 3 of this bill may be
252 used for performing related administrative duties of the State
253 Property Insurance program.

254 **SECTION 20.** The following sum, or so much thereof as may be
255 necessary, is appropriated out of any money in the State General
256 Fund not otherwise appropriated, to the Department of Finance and
257 Administration for the purpose of providing a grant to the
258 Mississippi Home Corporation, for the fiscal year beginning
259 July 1, 2020, and ending June 30, 2021.....\$ 1,484,450.00.

260 **SECTION 21.** The funds appropriated herein shall be targeted
261 to individuals with disabilities or individuals with serious
262 mental illnesses who:

263 (1) Are being discharged from a state psychiatric hospital
264 after a stay of more than ninety (90) days; or, nursing facility,
265 or intermediate care facility for individuals with intellectual
266 disabilities after a stay of more than ninety (90) days; or

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

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

271 (b) Are known to the mental health or state-housing
272 agency to have been arrested or incarcerated in the last year due
273 to conduct related to mental illness; or

274 (c) Are known to the mental health or state-housing
275 agency to have been homeless for one (1) full year or have had

276 four (4) or more episodes of homelessness in the last three (3)
277 years.

278 (3) Lack a fixed, regular, and adequate nighttime residence
279 and includes a subset for an individual who is exiting an
280 institution where he or she resided for ninety (90) days or less
281 and who resides in an emergency shelter or a place not meant for
282 human habitation immediately before entering that institution.

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

285 **SECTION 22.** It is the intention of the Legislature that an
286 annual financial report based upon the state's fiscal year shall
287 be provided to the Attorney General, the Chairman of Senate
288 Appropriations, the Chairman of House Appropriations, and the
289 Legislative Budget Office.

290 **SECTION 23.** It is the intention of the Legislature that none
291 of the funds appropriated under the provisions of this act for the
292 Mississippi Home Corporation (MHC) shall be expended for the
293 purpose of making a payment of any kind or for any purpose,
294 directly or indirectly, to a member of the State of Mississippi
295 Legislature, state official, MHC board member, or person who has
296 been a member of the MHC within the last year.

297 **SECTION 24.** Of the funds appropriated in Section 2, Ten
298 Million Five Hundred Thousand Dollars (\$10,500,000.00) shall be
299 expended from the Capitol Complex Improvement District Project
300 Fund, as established in Section 29-5-215, Mississippi Code of
301 1972.

302 **SECTION 25.** It is the intention of the Legislature that the
303 Department of Finance and Administration is hereby authorized to
304 pay invoices submitted by Barefield Workplace Solutions, Jackson,
305 MS for services in prior fiscal years in an amount not to exceed
306 Three Hundred Forty-five Dollars and Fifty-seven Cents (\$345.57).

307 **SECTION 26.** Of the funds appropriated under the provisions
308 of this act, the department is authorized to enter into a contract
309 for use by state agencies to establish a pilot program for Fleet
310 Management Services, to include vehicle leasing and disposal,
311 without being subject to the provisions of law otherwise
312 applicable to fleet management.

313 **SECTION 27.** It is the intention of the Legislature that the
314 funds herein appropriated shall be expended in compliance with
315 Section 27-104-25, Mississippi Code of 1972, that no state agency
316 shall incur obligations or indebtedness in excess of their
317 appropriation and that the responsible officers, either personally
318 or upon their official bonds, shall be held responsible for
319 actions contrary to this provision.

320 **SECTION 28.** The money herein appropriated shall be paid by
321 the State Treasurer out of any money in the State Treasury to the
322 credit of the proper fund or funds as set forth in this act, upon
323 warrants issued by the State Fiscal Officer; and the State Fiscal
324 Officer shall issue his warrants upon requisitions signed by the
325 proper person, officer or officers, in the manner provided by law.

326 **SECTION 29.** This act shall take effect and be in force from
327 and after July 1, 2020, and shall stand repealed from and after
328 June 30, 2020.

HR13\SB2969A.J

Andrew Ketchings
Clerk of the House of Representatives