

Senate Amendments to House Bill No. 1679

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:

6 **SECTION 1.** The following sum, or so much of it as may be
7 necessary, is appropriated out of any money in the special fund in
8 the State Treasury to the credit of the Board of Examiners for
9 Social Workers and Marriage and Family Therapists for the purpose
10 of defraying the expenses of the board for the fiscal year
11 beginning July 1, 2020, and ending June 30, 2021.....
12\$ 223,125.00.

13 **SECTION 2.** Of the funds appropriated under the provisions of
14 Section 1, the following positions are authorized:

15 AUTHORIZED POSITIONS:

16	Permanent:	Full Time.....	3
17		Part Time.....	0
18	Time-Limited:	Full Time.....	0
19		Part Time.....	0

20 With the funds herein appropriated, it shall be the agency's
21 responsibility to make certain that funds required to be
22 appropriated for "Personal Services" for Fiscal Year 2022 do not

23 exceed Fiscal Year 2021 funds appropriated for that purpose,
24 unless programs or positions are added to the agency's Fiscal Year
25 2021 budget by the Mississippi Legislature. Based on data
26 provided by the Legislative Budget Office, the State Personnel
27 Board shall determine and publish the projected annual cost to
28 fully fund all appropriated positions in compliance with the
29 provisions of this act. It shall be the responsibility of the
30 agency head to ensure that no single personnel action increases
31 this projected annual cost and/or the Fiscal Year 2021
32 appropriations for "Personal Services" when annualized, with the
33 exception of escalated funds and the award of benchmarks. If, at
34 the time the agency takes any action to change "Personal
35 Services," the State Personnel Board determines that the agency
36 has taken an action which would cause the agency to exceed this
37 projected annual cost or the Fiscal Year 2021 "Personal Services"
38 appropriated level, when annualized, then only those actions which
39 reduce the projected annual cost and/or the appropriation
40 requirement will be processed by the State Personnel Board until
41 such time as the requirements of this provision are met.

42 Any transfers or escalations shall be made in accordance with
43 the terms, conditions and procedures established by law or
44 allowable under the terms set forth within this act. The State
45 Personnel Board shall not escalate positions without written
46 approval from the Department of Finance and Administration. The
47 Department of Finance and Administration shall not provide written
48 approval to escalate any funds for salaries and/or positions

49 without proof of availability of new or additional funds above the
50 appropriated level.

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

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

59 **SECTION 3.** It is the intention of the Legislature that the
60 Board of Examiners for Social Workers and Marriage and Family
61 Therapists shall maintain complete accounting and personnel
62 records related to the expenditure of all funds appropriated under
63 this act and that such records shall be in the same format and
64 level of detail as maintained for Fiscal Year 2020. It is further
65 the intention of the Legislature that the agency's budget request
66 for Fiscal Year 2022 shall be submitted to the Joint Legislative
67 Budget Committee in a format and level of detail comparable to the
68 format and level of detail provided during the Fiscal Year 2021
69 budget request process.

70 **SECTION 4.** It is the intention of the Legislature that
71 whenever two (2) or more bids are received by this agency for the
72 purchase of commodities or equipment, and whenever all things
73 stated in such received bids are equal with respect to price,
74 quality and service, the Mississippi Industries for the Blind

75 shall be given preference. A similar preference shall be given to
76 the Mississippi Industries for the Blind whenever purchases are
77 made without competitive bids.

78 **SECTION 5.** It is the intention of the Legislature that the
79 funds herein appropriated shall be expended in compliance with
80 Section 27-104-25, Mississippi Code of 1972, that no state agency
81 shall incur obligations or indebtedness in excess of their
82 appropriation and that the responsible officers, either personally
83 or upon their official bonds, shall be held responsible for
84 actions contrary to this provision.

85 **SECTION 6.** The money herein appropriated shall be paid by
86 the State Treasurer out of any money in the State Treasury to the
87 credit of the proper fund or funds as set forth in this act, upon
88 warrants issued by the State Fiscal Officer; and the State Fiscal
89 Officer shall issue his warrants upon requisitions signed by the
90 proper person, officer or officers, in the manner provided by law.

91 **SECTION 7.** This act shall take effect and be in force from
92 and after July 1, 2020, and shall stand repealed June 30, 2020.

SS05\HB1679A.J

Eugene S. Clarke
Secretary of the Senate