

Senate Amendments to House Bill No. 1709

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the support and maintenance
8 of the State Oil and Gas Board for the fiscal year beginning
9 July 1, 2020, and ending June 30, 2021.....
10\$ 2,004,663.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the State Oil and Gas Board
14 which is comprised of special source funds collected by or
15 otherwise available to the department, for the purpose of
16 defraying the expenses of the department for the fiscal year
17 beginning July 1, 2020, and ending June 30, 2021.....
18\$ 94,000.00.

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

21 **AUTHORIZED POSITIONS:**

22	Permanent:	Full Time.....	33
23		Part Time.....	0
24	Time-Limited:	Full Time.....	0
25		Part Time.....	0

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required to be
28 appropriated for "Personal Services" for Fiscal Year 2022 do not
29 exceed Fiscal Year 2021 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2021 budget by the Mississippi Legislature. Based on data
32 provided by the Legislative Budget Office, the State Personnel
33 Board shall determine and publish the projected annual cost to
34 fully fund all appropriated positions in compliance with the
35 provisions of this act. It shall be the responsibility of the
36 agency head to ensure that no single personnel action increases
37 this projected annual cost and/or the Fiscal Year 2021
38 appropriations for "Personal Services" when annualized, with the
39 exception of escalated funds and the award of benchmarks. If, at
40 the time the agency takes any action to change "Personal
41 Services," the State Personnel Board determines that the agency
42 has taken an action which would cause the agency to exceed this
43 projected annual cost or the Fiscal Year 2021 "Personal Services"
44 appropriated level, when annualized, then only those actions which
45 reduce the projected annual cost and/or the appropriation
46 requirement will be processed by the State Personnel Board until
47 such time as the requirements of this provision are met.

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

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

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

65 **SECTION 4.** It is the intention of the Legislature that the
66 State Oil and Gas Board shall maintain complete accounting and
67 personnel records related to the expenditure of all funds
68 appropriated under this act and that such records shall be in the
69 same format and level of detail as maintained for Fiscal Year
70 2020. It is further the intention of the Legislature that the
71 agency's budget request for Fiscal Year 2022 shall be submitted to
72 the Joint Legislative Budget Committee in a format and level of

73 detail comparable to the format and level of detail provided
74 during the Fiscal Year 2021 budget request process.

75 **SECTION 5.** It is the intention of the Legislature that
76 whenever two (2) or more bids are received by this agency for the
77 purchase of commodities or equipment, and whenever all things
78 stated in such received bids are equal with respect to price,
79 quality and service, the Mississippi Industries for the Blind
80 shall be given preference. A similar preference shall be given to
81 the Mississippi Industries for the Blind whenever purchases are
82 made without competitive bids.

83 **SECTION 6.** It is the intention of the Legislature that the
84 funds herein appropriated shall be expended in compliance with
85 Section 27-104-25, Mississippi Code of 1972, that no state agency
86 shall incur obligations or indebtedness in excess of their
87 appropriation and that the responsible officers, either personally
88 or upon their official bonds, shall be held responsible for
89 actions contrary to this provision.

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

SS05\HB1709A.J

Eugene S. Clarke
Secretary of the Senate