

Senate Amendments to House Bill No. 1721

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 authorized and approved for expenditure out of any
7 funds which are received by or otherwise become available to the
8 Tombigbee River Valley Water Management District, for the purpose
9 of paying bond maturities, accrued interest, maintenance expenses,
10 project development costs, and any other authorized expenses of
11 the water management district, for the fiscal year beginning
12 July 1, 2020, and ending June 30, 2021.....
13\$ 8,007,256.00.

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

16 **AUTHORIZED POSITIONS:**

17	Permanent:	Full Time.....	15
18		Part Time.....	0
19	Time-Limited:	Full Time.....	0
20		Part Time.....	0

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

43 Any transfers or escalations shall be made in accordance with
44 the terms, conditions and procedures established by law or
45 allowable under the terms set forth within this act. The State
46 Personnel Board shall not escalate positions without written

47 approval from the Department of Finance and Administration. The
48 Department of Finance and Administration shall not provide written
49 approval to escalate any funds for salaries and/or positions
50 without proof of availability of new or additional funds above the
51 appropriated level.

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

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

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

71 **SECTION 4.** It is the intention of the Legislature that
72 whenever two (2) or more bids are received by this agency for the

73 purchase of commodities or equipment, and whenever all things
74 stated in such received bids are equal with respect to price,
75 quality and service, the Mississippi Industries for the Blind
76 shall be given preference. A similar preference shall be given to
77 the Mississippi Industries for the Blind whenever purchases are
78 made without competitive bids.

79 **SECTION 5.** All monies in possession of the district in
80 excess of necessary operating funds shall be deposited with a bank
81 or banks selected by the board of directors of the district.
82 These funds shall be deposited in such bank or banks and in such
83 manner that interest earned shall be at least equal to interest
84 earnings on state funds deposited by the State Treasury.

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

92 **SECTION 7.** The money herein approved for expenditure shall
93 be disbursed upon bank checks signed by the proper person, officer
94 or officers, in the manner provided by law.

95 **SECTION 8.** This act shall take effect and be in force from
96 and after July 1, 2020, and shall stand repealed June 30, 2020.

SS05\HB1721A.J

Eugene S. Clarke
Secretary of the Senate