

By: Representatives Read, Bounds, Arnold,  
Beckett, Eure, Hale, Mangold, Oliver, Turner

To: Appropriations

HOUSE BILL NO. 1394  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR  
3 THE FISCAL YEAR 2022.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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 purpose of defraying the  
8 expenses of the Grand Gulf Military Monument Commission in the  
9 operation and maintenance of the Grand Gulf Military Monument for  
10 the fiscal year beginning July 1, 2021, and ending June 30, 2022 .  
11 ..... \$ 270,982.00.

12 **SECTION 2.** The following sum, or so much thereof as may be  
13 necessary, is appropriated out of any money in the special fund in  
14 the State Treasury to the credit of the Grand Gulf Military  
15 Monument Commission, for the purpose of defraying the expenses of  
16 the commission in the operation and maintenance of the Grand Gulf  
17 Military Monument for the fiscal year beginning July 1, 2021, and  
18 ending June 30, 2022 ..... \$ 160,165.00.



**SECTION 3.** Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED POSITIONS:**

Permanent:	Full Time .....	7
	Part Time .....	1
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the



44 Senate and House of Representatives and the chairmen of the  
45 Appropriations Committees of the Senate and House of  
46 Representatives. It shall be the responsibility of the agency  
47 head to ensure that no single personnel action increases this  
48 projected annual cost and/or the Fiscal Year 2022 appropriations  
49 for "Personal Services" when annualized, with the exception of  
50 escalated funds and the award of benchmarks. If, at the time the  
51 agency takes any action to change "Personal Services," the State  
52 Personnel Board determines that the agency has taken an action  
53 which would cause the agency to exceed this projected annual cost  
54 or the Fiscal Year 2022 "Personal Services" appropriated level,  
55 when annualized, then only those actions which reduce the  
56 projected annual cost and/or the appropriation requirement will be  
57 processed by the State Personnel Board until such time as the  
58 requirements of this provision are met.

59 Any transfers or escalations shall be made in accordance with  
60 the terms, conditions and procedures established by law or  
61 allowable under the terms set forth within this act. The State  
62 Personnel Board shall not escalate positions without written  
63 approval from the Department of Finance and Administration. The  
64 Department of Finance and Administration shall not provide written  
65 approval to escalate any funds for salaries and/or positions  
66 without proof of availability of new or additional funds above the  
67 appropriated level.



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

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

76 Funds have been appropriated herein for the purpose of  
77 implementation and funding Project SEC2 of the Colonel Guy Groff  
78 State Variable Compensation Plan beginning January 1, 2022, and  
79 ending June 30, 2022. It shall be the agency's responsibility to  
80 make certain that each person, excluding executive directors,  
81 agency heads, and elected judges, shall receive no more than a 3%  
82 annual increase in salary which shall not exceed the market rate  
83 established by the State Personnel Board pursuant to the Colonel  
84 Guy Groff State Variable Compensation Plan for each  
85 classification.

86 **SECTION 4.** It is the intention of the Legislature that the  
87 Grand Gulf Military Monument Commission shall maintain complete  
88 accounting and personnel records related to the expenditure of all  
89 funds appropriated under this act and that such records shall be  
90 in the same format and level of detail as maintained for Fiscal  
91 Year 2021. It is further the intention of the Legislature that  
92 the agency's budget request for Fiscal Year 2023 shall be



submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

**SECTION 5.** It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

**SECTION 6.** Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022 .....\$ 50,000.00.

**SECTION 7.** It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to



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

**SECTION 8.** It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

**SECTION 9.** The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

**SECTION 10.** This act shall take effect and be in force from and after July 1, 2021.

