

**House Amendments to Senate Bill No. 2938**

**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:**

5           **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 Treasury to the credit of the Mississippi Board of Registered  
8 Professional Geologists for the purpose of defraying the expenses  
9 of the board, for the fiscal year beginning July 1, 2021, and  
10 ending June 30, 2022.....\$                   138,296.00.

11           **SECTION 2.** Of the funds appropriated under the provisions of  
12 this act, the following positions are authorized:

13           AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	1
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

18           With the funds herein appropriated, it shall be the agency's  
19 responsibility to make certain that funds required to be  
20 appropriated for "Personal Services" for Fiscal Year 2023 do not  
21 exceed Fiscal Year 2022 funds appropriated for that purpose unless

22 programs or positions are added to the agency's Fiscal Year 2022  
23 budget by the Mississippi Legislature. Based on data provided by  
24 the Legislative Budget Office, the State Personnel Board shall  
25 determine and publish the projected annual cost to fully fund all  
26 appropriated positions in compliance with the provisions of this  
27 act. Absent a special situation or circumstance approved by the  
28 State Personnel Board, or unless otherwise authorized by this act,  
29 no state agency shall take any action to promote or otherwise  
30 award salary increases through reallocation or realignment. If  
31 the State Personnel Board determines a special situation or  
32 circumstance exists and approves an action, then the agency and  
33 the State Personnel Board shall provide a monthly report of each  
34 action approved by the State Personnel Board to the chairmen of  
35 the Accountability, Efficiency and Transparency Committees of the  
36 Senate and House of Representatives and the chairmen of the  
37 Appropriations Committees of the Senate and House of  
38 Representatives. It shall be the responsibility of the agency  
39 head to ensure that no single personnel action increases this  
40 projected annual cost and/or the Fiscal Year 2022 appropriations  
41 for "Personal Services" when annualized, with the exception of  
42 escalated funds and the award of benchmarks. If, at the time the  
43 agency takes any action to change "Personal Services," the State  
44 Personnel Board determines that the agency has taken an action  
45 which would cause the agency to exceed this projected annual cost  
46 or the Fiscal Year 2022 "Personal Services" appropriated level,  
47 when annualized, then only those actions which reduce the

48 projected annual cost and/or the appropriation requirement will be  
49 processed by the State Personnel Board until such time as the  
50 requirements of this provision are met.

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

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

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

68 **SECTION 3.** It is the intention of the Legislature that  
69 whenever two (2) or more bids are received by this agency for the  
70 purchase of commodities or equipment, and whenever all things  
71 stated in such received bids are equal with respect to price,  
72 quality and service, the Mississippi Industries for the Blind  
73 shall be given preference. A similar preference shall be given to

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

76         **SECTION 4.** It is the intention of the Legislature that the  
77 funds herein appropriated shall be expended in compliance with  
78 Section 27-104-25, Mississippi Code of 1972, that no state agency  
79 shall incur obligations or indebtedness in excess of their  
80 appropriation and that the responsible officers, either personally  
81 or upon their official bonds, shall be held responsible for  
82 actions contrary to this provision.

83         **SECTION 5.** The money herein appropriated shall be paid by  
84 the State Treasurer out of any money in the State Treasury to the  
85 credit of the proper fund or funds as set forth in this act, upon  
86 warrants issued by the State Fiscal Officer; and the State Fiscal  
87 Officer shall issue his warrants upon requisitions signed by the  
88 proper person, officer or officers in the manner provided by law.

89         **SECTION 6.** This act shall take effect and be in force from  
90 and after July 1, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1         AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL  
3 GEOLOGISTS FOR FISCAL YEAR 2022.

HR13\SB2938A.J

Andrew Ketchings  
Clerk of the House of Representatives