

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2952

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the support and
7 maintenance of the State Personnel Board for the fiscal year
8 beginning July 1, 2021, and ending June 30, 2022.....
9 \$ 3,958,976.00.

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

12 AUTHORIZED POSITIONS:

13 Permanent: Full Time 39



14	Part Time	1
15	Time-Limited: Full Time	0
16	Part Time	0

17 With the funds herein appropriated, it shall be the agency's
18 responsibility to make certain that funds required to be
19 appropriated for "Personal Services" for Fiscal Year 2023 do not
20 exceed Fiscal Year 2022 funds appropriated for that purpose unless
21 programs or positions are added to the agency's Fiscal Year 2022
22 budget by the Mississippi Legislature. Based on data provided by
23 the Legislative Budget Office, the State Personnel Board shall
24 determine and publish the projected annual cost to fully fund all
25 appropriated positions in compliance with the provisions of this
26 act. Absent a special situation or circumstance approved by the
27 State Personnel Board, or unless otherwise authorized by this act,
28 no state agency shall take any action to promote or otherwise
29 award salary increases through reallocation or realignment. If
30 the State Personnel Board determines a special situation or
31 circumstance exists and approves an action, then the agency and
32 the State Personnel Board shall provide a monthly report of each
33 action approved by the State Personnel Board to the chairmen of
34 the Accountability, Efficiency and Transparency Committees of the
35 Senate and House of Representatives and the chairmen of the
36 Appropriations Committees of the Senate and House of
37 Representatives. It shall be the responsibility of the agency
38 head to ensure that no single personnel action increases this



39 projected annual cost and/or the Fiscal Year 2022 appropriations
40 for "Personal Services" when annualized, with the exception of
41 escalated funds and the award of benchmarks. If, at the time the
42 agency takes any action to change "Personal Services," the State
43 Personnel Board determines that the agency has taken an action
44 which would cause the agency to exceed this projected annual cost
45 or the Fiscal Year 2022 "Personal Services" appropriated level,
46 when annualized, then only those actions which reduce the
47 projected annual cost and/or the appropriation requirement will be
48 processed by the State Personnel Board until such time as the
49 requirements of this provision are met.

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

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



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

67 **SECTION 3.** None of the funds appropriated under the
68 provisions of Section 1 of this act may be expended until the
69 State Personnel Board, based on data provided by the Legislative
70 Budget Office, determines and publishes the projected annual cost
71 to fully fund all appropriated positions for all agencies with
72 compliance language in their appropriation bills.

73 **SECTION 4.** It is the intention of the Legislature that the
74 State Personnel Board shall maintain complete accounting and
75 personnel records related to the expenditure of all funds
76 appropriated under this act and that such records shall be in the
77 same format and level of detail as maintained for Fiscal Year
78 2021. It is further the intention of the Legislature that the
79 agency's budget request for Fiscal Year 2023 shall be submitted to
80 the Joint Legislative Budget Committee in a format and level of
81 detail comparable to the format and level of detail provided
82 during the Fiscal Year 2022 budget request process.

83 **SECTION 5.** It is the intention of the Legislature that
84 whenever two (2) or more bids are received by this agency for the
85 purchase of commodities or equipment, and whenever all things
86 stated in such received bids are equal with respect to price,
87 quality and service, the Mississippi Industries for the Blind



88 shall be given preference. A similar preference shall be given to
89 the Mississippi Industries for the Blind whenever purchases are
90 made without competitive bids.

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

98 **SECTION 7.** The money herein appropriated shall be paid by
99 the State Treasurer out of any money in the State Treasury to the
100 credit of the proper fund or funds as set forth in this act, upon
101 warrants issued by the State Fiscal Officer, and the State Fiscal
102 Officer shall issue his warrants upon requisitions signed by the
103 proper person, officer or officers in the manner provided by law.

104 **SECTION 8.** This act shall take effect and be in force from
105 and after July 1, 2021, and shall stand repealed from and after
106 June 29, 2021.

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

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE PERSONNEL BOARD FOR FISCAL YEAR 2022.

