

Senate Amendments to House Bill No. 1394

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 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\$ 243,729.00.

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.....\$ 63,091.00.

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

21 **AUTHORIZED POSITIONS:**

22	Permanent:	Full Time.....	5
23		Part Time.....	1
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 2023 do not
29 exceed Fiscal Year 2022 funds appropriated for that purpose unless
30 programs or positions are added to the agency's Fiscal Year 2022
31 budget by the Mississippi Legislature. Based on data provided by
32 the Legislative Budget Office, the State Personnel Board shall
33 determine and publish the projected annual cost to fully fund all
34 appropriated positions in compliance with the provisions of this
35 act. Absent a special situation or circumstance approved by the
36 State Personnel Board, or unless otherwise authorized by this act,
37 no state agency shall take any action to promote or otherwise
38 award salary increases through reallocation or realignment. If
39 the State Personnel Board determines a special situation or
40 circumstance exists and approves an action, then the agency and
41 the State Personnel Board shall provide a monthly report of each
42 action approved by the State Personnel Board to the chairmen of
43 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 **SECTION 4.** It is the intention of the Legislature that the
77 Grand Gulf Military Monument Commission shall maintain complete
78 accounting and personnel records related to the expenditure of all
79 funds appropriated under this act and that such records shall be
80 in the same format and level of detail as maintained for Fiscal
81 Year 2021. It is further the intention of the Legislature that
82 the agency's budget request for Fiscal Year 2023 shall be
83 submitted to the Joint Legislative Budget Committee in a format
84 and level of detail comparable to the format and level of detail
85 provided during the Fiscal Year 2022 budget request process.

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

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

95 **SECTION 6.** It is the intention of the Legislature that
96 whenever two (2) or more bids are received by this agency for the
97 purchase of commodities or equipment, and whenever all things
98 stated in such received bids are equal with respect to price,
99 quality and service, the Mississippi Industries for the Blind

100 shall be given preference. A similar preference shall be given to
101 the Mississippi Industries for the Blind whenever purchases are
102 made without competitive bids.

103 **SECTION 7.** It is the intention of the Legislature that the
104 funds herein appropriated shall be expended in compliance with
105 Section 27-104-25, Mississippi Code of 1972, that no state agency
106 shall incur obligations or indebtedness in excess of their
107 appropriation and that the responsible officers, either personally
108 or upon their official bonds, shall be held responsible for
109 actions contrary to this provision.

110 **SECTION 8.** The money herein appropriated shall be paid by
111 the State Treasurer out of any money in the State Treasury to the
112 credit of the proper fund or funds as set forth in this act, upon
113 warrants issued by the State Fiscal Officer; and the State Fiscal
114 Officer shall issue his warrants upon requisitions signed by the
115 proper person, officer or officers, in the manner provided by law.

116 **SECTION 9.** This act shall take effect and be in force from
117 and after July 1, 2021, and shall stand repealed 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 FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR
3 THE FISCAL YEAR 2022.

SS15\HB1394A.J

Eugene S. Clarke
Secretary of the Senate