

Senate Amendments to House Bill No. 1406

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 special source funds which are received by or otherwise become
8 available to the Pearl River Valley Water Supply District, for the
9 purpose of defraying the expenses of the district for the fiscal
10 year beginning July 1, 2021, and ending June 30, 2022.....
11\$ 20,237,250.00.

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

AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	116
16		Part Time.....	0
17	Time-Limited:	Full Time.....	1
18		Part Time.....	0

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

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

48 when annualized, then only those actions which reduce the
49 projected annual cost and/or the appropriation requirement will be
50 processed by the State Personnel Board until such time as the
51 requirements of this provision are met.

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

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

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

69 **SECTION 3.** It is the intention of the Legislature that the
70 Pearl River Valley Water Supply District shall maintain complete
71 accounting and personnel records related to the expenditure of all
72 funds appropriated under this act and that such records shall be
73 in the same format and level of detail as maintained for Fiscal

Year 2021. It is further the intention of the Legislature that 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 4. 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 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a "REZ" tag.

99 **SECTION 7.** None of the funds appropriated for expenditure
100 under this act may be expended by Pearl River Valley Water Supply
101 District until the district agrees to comply with the following
102 conditions: (1) If any local governmental or nonprofit entity
103 wins the bid for the ESPN Bass Masters Classic or the FLW Major
104 Open, these events shall be exempt from the district's lottery
105 system for host events at the reservoir and given priority of any
106 and all date options available. (2) If any local governmental or
107 nonprofit entity wins the bid for such events, the district shall
108 waive the daily launch fees or any other special event fees for
109 the ESPN Bass Masters Classic or the FLW Major Open. (3) The
110 Catch A Dream Foundation Bass Classic shall be held on the first
111 Sunday in May unless any local governmental or nonprofit entity
112 wins the bid for the ESPN Bass Masters Classic or the FLW Major
113 Open on that date. The Catch A Dream Foundation Bass Classic
114 shall be exempt from the district's lottery system for host events
115 at the reservoir and given priority for the first Sunday in May.
116 The district shall waive the daily launch fees or any other
117 special event fees for the Classic.

118 **SECTION 8.** Of the funds appropriated herein, Two Hundred
119 Thousand Dollars (\$200,000.00) is provided for salary increase for
120 the purpose of funding overtime, callback or standby pay.

121 **SECTION 9.** Of the funds appropriated herein, Two Hundred
122 Thousand Dollars (\$200,000.00) is provided out of the Ross Barnett
123 Reservoir Dredging Fund for dredging and other related activities

to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. 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 11. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 12. 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 13. This act shall take effect and be in force from and after July 1, 2021.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2022.

SS15\HB1406A.J

Eugene S. Clarke
Secretary of the Senate