

Senate Amendments to House Bill No. 1410

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:

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is appropriated out of any money in the State Treasury
9 to the credit of the Administrative Expense Account of the Public
10 Employees' Retirement System for the purpose of defraying the
11 administrative expenses of the Board of Trustees of the Public
12 Employees' Retirement System, or out of any money in the State
13 Treasury to the credit of the Retirement System Building Account
14 of the Public Employees' Retirement System for the purpose of
15 maintenance and general operation of the Retirement System
16 Building, for the fiscal year beginning July 1, 2021, and ending
17 June 30, 2022.....\$ 18,754,581.00.

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

20 **AUTHORIZED POSITIONS:**

21	Permanent:	Full Time.....	163
22		Part Time.....	0
23	Time-Limited:	Full Time.....	0

24 Part Time..... 0

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

50 agency takes any action to change "Personal Services," the State
51 Personnel Board determines that the agency has taken an action
52 which would cause the agency to exceed this projected annual cost
53 or the Fiscal Year 2022 "Personal Services" appropriated level,
54 when annualized, then only those actions which reduce the
55 projected annual cost and/or the appropriation requirement will be
56 processed by the State Personnel Board until such time as the
57 requirements of this provision are met.

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

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

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

75 **SECTION 3.** It is the intention of the Legislature that the
76 Board of Trustees of the Public Employees' Retirement System shall
77 maintain complete accounting and personnel records related to the
78 expenditure of all funds appropriated under this act and that such
79 records shall be in the same format and level of detail as
80 maintained for Fiscal Year 2021. It is further the intention of
81 the Legislature that the agency's budget request for Fiscal Year
82 2023 shall be submitted to the Joint Legislative Budget Committee
83 in a format and level of detail comparable to the format and level
84 of detail provided during the Fiscal Year 2022 budget request
85 process.

86 **SECTION 4.** In accordance with the purposes of this article,
87 there shall be established in the State Treasury the Public
88 Employees' Retirement System Building Repair and Maintenance Fund,
89 into which shall be deposited all funds collected as rental income
90 from the building owned by the system located at 301 North
91 President Street, Jackson, Mississippi. At the end of each fiscal
92 year, any and all unexpended funds shall be transferred to the
93 Administrative Budget Fund of the system.

94 **SECTION 5.** It is the intention of the Legislature that
95 whenever two (2) or more bids are received by this agency for the
96 purchase of commodities or equipment, and whenever all things
97 stated in such received bids are equal with respect to price,
98 quality and service, the Mississippi Industries for the Blind
99 shall be given preference. A similar preference shall be given to

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

102 **SECTION 6.** Of the funds appropriated in Section 1, no more
103 than Three Million Five Hundred Thirty-eight Thousand Dollars
104 (\$3,538,000.00) is provided for the purpose of defraying those
105 expenses associated with the replacement computer system.

106 **SECTION 7.** The Public Employees' Retirement System is
107 further authorized, in its discretion, to expend funds for the
108 purchase of service pins for employees of the Public Employees'
109 Retirement System.

110 **SECTION 8.** Of the funds appropriated in Section 1, no more
111 than Three Hundred Thousand Dollars (\$300,000.00) is provided,
112 only for the explicit purpose of building maintenance and repair.

113 **SECTION 9.** It is the intention of the Legislature that the
114 funds herein appropriated shall be expended in compliance with
115 Section 27-104-25, Mississippi Code of 1972, that no state agency
116 shall incur obligations or indebtedness in excess of their
117 appropriation and that the responsible officers, either personally
118 or upon their official bonds, shall be held responsible for
119 actions contrary to this provision.

120 **SECTION 10.** The money herein appropriated shall be paid by
121 the State Treasurer out of any money in the State Treasury to the
122 credit of the proper fund or funds as set forth in this act, upon
123 warrants issued by the State Fiscal Officer; and the State Fiscal
124 Officer shall issue his warrants upon requisitions signed by the
125 proper person, officer or officers, in the manner provided by law.

126 **SECTION 11.** This act shall take effect and be in force from
127 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 FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE
3 EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'
4 RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE
5 RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2022.

SS15\HB1410A.J

Eugene S. Clarke
Secretary of the Senate