

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1395**

**BY: Committee**

**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 support and maintenance  
8 of the State Oil and Gas Board for the fiscal year beginning  
9 July 1, 2021, and ending June 30, 2022.....  
10 ..... \$       1,985,904.00.

11       **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is appropriated out of any money in the special fund in  
13 the State Treasury to the credit of the State Oil and Gas Board  
14 which is comprised of special source funds collected by or



15 otherwise available to the department, for the purpose of  
16 defraying the expenses of the department for the fiscal year  
17 beginning July 1, 2021, and ending June 30, 2022.....  
18 ..... \$ 209,495.00.

19 **SECTION 3.** Of the funds appropriated under the provisions of  
20 Section 1, the following positions are authorized:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time .....	32
23		Part Time .....	0
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 State Oil and Gas Board shall maintain complete accounting and  
78 personnel records related to the expenditure of all funds  
79 appropriated under this act and that such records shall be in the  
80 same format and level of detail as maintained for Fiscal Year  
81 2021. It is further the intention of the Legislature that the  
82 agency's budget request for Fiscal Year 2023 shall be submitted to  
83 the Joint Legislative Budget Committee in a format and level of  
84 detail comparable to the format and level of detail provided  
85 during the Fiscal Year 2022 budget request process.

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



90 quality and service, the Mississippi Industries for the Blind  
91 shall be given preference. A similar preference shall be given to  
92 the Mississippi Industries for the Blind whenever purchases are  
93 made without competitive bids.

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

101 **SECTION 7.** This act shall take effect and be in force from  
102 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 GENERAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2022.

