

House Amendments to Senate Bill No. 3053

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE 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:

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 special fund in the State Treasury to the credit of the State
7 Treasurer's office which are collected by or otherwise become
8 available, to defray the expenses of the Office of the State
9 Treasurer for the fiscal year beginning July 1, 2022, and ending
10 June 30, 2023.....\$ 5,441,463.00.

11 **SECTION 2.** Of the funds appropriated in Section 1, the
12 following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	39
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

18 With the funds herein appropriated, it shall be the agency's
19 responsibility to make certain that funds required for Personal
20 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds

21 appropriated for that purpose unless programs or positions are
22 added to the agency's Fiscal Year 2023 budget by the Mississippi
23 Legislature. The Legislature shall determine the agency's
24 personal services appropriation, which shall be published by the
25 State Personnel Board. Additionally, the State Personnel Board
26 shall determine and publish the projected annualized payroll costs
27 based on current employees. It shall be the responsibility of the
28 agency head to ensure that actual personnel expenditures for
29 Fiscal Year 2023 do not exceed the data provided by the
30 Legislative Budget Office. If the agency's Fiscal Year 2023
31 projected cost exceeds the annualized costs, no salary actions
32 shall be processed by the State Personnel Board with the exception
33 of new hires that are determined to be essential for the agency.

34 Any transfers or escalations shall be made in accordance with
35 the terms, conditions and procedures established by law or
36 allowable under the terms set forth within this act. The State
37 Personnel Board shall not escalate positions without written
38 approval from the Department of Finance and Administration. The
39 Department of Finance and Administration shall not provide written
40 approval to escalate any funds for salaries and/or positions
41 without proof of availability of new or additional funds above the
42 appropriated level.

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

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

51 Funds have been appropriated herein for the purpose of
52 funding Project SEC2 minimum salaries for all employees covered
53 under the Colonel Guy Groff/Neville Kenning Variable Compensation
54 Plan. It shall be the agency's responsibility to ensure that the
55 funds are used to increase all employees' salaries up to the
56 minimum level as determined by the State Personnel Board.

57 **SECTION 3.** In addition to all other sums herein
58 appropriated, the following sum, or so much thereof as may be
59 necessary, is hereby appropriated out of any money in the State
60 Treasury to the credit of the Education Improvement Trust Fund No.
61 3219 for the purpose of investing funds for the fiscal year
62 beginning July 1, 2022, and ending June 30, 2023.....
63\$ 150,000.00.

64 **SECTION 4.** In addition to all other sums herein
65 appropriated, the following sum, or so much thereof as may be
66 necessary, is hereby appropriated out of any money in the State
67 Treasury to the credit of the Mississippi Prepaid Affordable
68 College Tuition Trust Fund for the purpose of paying all amounts
69 due for prepaid tuition contracts of the Mississippi Prepaid
70 Affordable College Tuition Program, for the fiscal year beginning
71 July 1, 2022, and ending June 30, 2023.....\$ 35,000,000.00.

72 It is the intention of the Legislature that the State
73 Treasurer is hereby authorized to accept, budget and expend an
74 amount not to exceed One Million Dollars (\$1,000,000.00) from any
75 funds authorized for the Mississippi Prepaid Affordable College
76 Tuition Program, for paying amounts due for prepaid tuition
77 contracts of the Mississippi Prepaid Affordable College Tuition
78 Program. Such funds shall be escalated in accordance with the
79 rules and regulations of the Department of Finance and
80 Administration in a manner consistent with the escalation of
81 federal funds.

82 **SECTION 5.** No part of the funds appropriated herein shall be
83 used in the payment of attorney's fees, nor shall any of said
84 funds be used either directly or indirectly, for the purpose of
85 paying any clerk, stenographer, assistant, deputy or other person
86 who may be related by blood or marriage within the third degree,
87 computed by the rules of the civil law, to the official employing
88 or having the right of employment or selection thereof; and in the
89 event of any such payment, then the official or person approving
90 and making or receiving such payment shall be jointly and
91 severally liable to return to the State of Mississippi and to pay
92 into the State Treasury three (3) times any such amount so paid or
93 received, to be recovered at suit of the Attorney General;
94 provided that when the relationship is by affinity and the person
95 through whom the relationship was established is dead, this
96 provision shall not apply.

97 **SECTION 6.** It is the intention of the Legislature that the
98 Office of the State Treasurer shall maintain complete accounting
99 and personnel records related to the expenditure of all funds
100 appropriated under the provisions of this act and that such
101 records shall be in the same format and level of details as
102 maintained for Fiscal Year 2022. It is further the intention of
103 the Legislature that the budget request for Fiscal Year 2024 shall
104 be submitted to the Joint Legislative Budget Committee in a format
105 and level of detail comparable to the format and level of detail
106 provided during the Fiscal Year 2023 budget request process.

107 **SECTION 7.** It is the intention of the Legislature that
108 whenever two (2) or more bids are received by this agency for the
109 purchase of commodities or equipment, and whenever all things
110 stated in such received bids are equal with respect to price,
111 quality and service, the Mississippi Industries for the Blind
112 shall be given preference. A similar preference shall be given to
113 the Mississippi Industries for the Blind whenever purchases are
114 made without competitive bids.

115 **SECTION 8.** Of the funds appropriated to the State Treasury
116 under the provisions of Section 1, the following amounts shall be
117 available for expenditure in the following program budgets:

- 118 (a) Mississippi Prepaid Affordable College Tuition
119 program.....\$ 1,854,655.00.
120 (b) Mississippi Affordable College Savings
121 program.....\$ 177,860.00.
122 (c) Treasury Office - Support

123 programs.....\$ 3,408,948.00.

124 Further, no funds to the credit of the Mississippi Prepaid
125 Affordable College Tuition Administrative Fund shall be expended
126 for purposes related to any program other than the Mississippi
127 Prepaid Affordable College Tuition program.

128 **SECTION 9.** The money herein appropriated shall be paid by
129 the State Treasurer out of any money in the State Treasury to the
130 credit of the proper fund or funds as set forth in this act, upon
131 warrants issued by the State Fiscal Officer; and the State Fiscal
132 Officer shall issue his warrants upon requisitions signed by the
133 proper person, officer or officers in the manner provided by law.

134 **SECTION 10.** This act shall take effect and be in force from
135 and after July 1, 2022, and shall stand repealed from and after
136 June 29, 2022.

HR13\SB3053A.J

Andrew Ketchings
Clerk of the House of Representatives