

Senate Amendments to House Bill No. 1608

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 special fund in
7 the State Treasury to the credit of the State Oil and Gas Board
8 which is comprised of special source funds collected by or
9 otherwise available to the department, for the purpose of
10 defraying the expenses of the department for the fiscal year
11 beginning July 1, 2022, and ending June 30, 2023.....
12\$ 2,356,959.00.

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

15 AUTHORIZED POSITIONS:

16	Permanent:	Full Time.....	32
17		Part Time.....	0
18	Time-Limited:	Full Time.....	0
19		Part Time.....	0

20 With the funds herein appropriated, it shall be the agency's
21 responsibility to make certain that funds required for Personal

22 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
23 appropriated for that purpose unless programs or positions are
24 added to the agency's Fiscal Year 2023 budget by the Mississippi
25 Legislature. The Legislature shall determine the agency's
26 personal services appropriation, which shall be published by the
27 State Personnel Board. Additionally, the State Personnel Board
28 shall determine and publish the projected annualized payroll costs
29 based on current employees. It shall be the responsibility of the
30 agency head to ensure that actual personnel expenditures for
31 Fiscal Year 2023 do not exceed the data provided by the
32 Legislative Budget Office. If the agency's Fiscal Year 2023
33 projected cost exceeds the annualized costs, no salary actions
34 shall be processed by the State Personnel Board with the exception
35 of new hires that are determined to be essential for the agency.

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

45 No general funds authorized to be expended herein shall be
46 used to replace federal funds and/or other special funds which are

47 being used for salaries authorized under the provisions of this
48 act and which are withdrawn and no longer available.

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

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

59 **SECTION 3.** It is the intention of the Legislature that the
60 State Oil and Gas Board shall maintain complete accounting and
61 personnel records related to the expenditure of all funds
62 appropriated under this act and that such records shall be in the
63 same format and level of detail as maintained for Fiscal Year
64 2022. It is further the intention of the Legislature that the
65 agency's budget request for Fiscal Year 2024 shall be submitted to
66 the Joint Legislative Budget Committee in a format and level of
67 detail comparable to the format and level of detail provided
68 during the Fiscal Year 2023 budget request process.

69 **SECTION 4.** It is the intention of the Legislature that
70 whenever two (2) or more bids are received by this agency for the
71 purchase of commodities or equipment, and whenever all things
72 stated in such received bids are equal with respect to price,

73 quality and service, the Mississippi Industries for the Blind
74 shall be given preference. A similar preference shall be given to
75 the Mississippi Industries for the Blind whenever purchases are
76 made without competitive bids.

77 **SECTION 5.** It is the intention of the Legislature that the
78 funds herein appropriated shall be expended in compliance with
79 Section 27-104-25, Mississippi Code of 1972, that no state agency
80 shall incur obligations or indebtedness in excess of their
81 appropriation and that the responsible officers, either personally
82 or upon their official bonds, shall be held responsible for
83 actions contrary to this provision.

84 **SECTION 6.** This act shall take effect and be in force from
85 and after July 1, 2022, and shall stand repealed June 29, 2022.

**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 2023.

SS15\HB1608A.J

Eugene S. Clarke
Secretary of the Senate