

**Senate Amendments to House Bill No. 1621**

**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 funds which are received by or otherwise become available to the  
8 Tombigbee River Valley Water Management District, for the purpose  
9 of paying bond maturities, accrued interest, maintenance expenses,  
10 project development costs, and any other authorized expenses of  
11 the water management district, for the fiscal year beginning  
12 July 1, 2022, and ending June 30, 2023.....\$       8,793,554.00.

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

15           AUTHORIZED HEADCOUNT:

16           Permanent:                   16

17           Time-Limited:                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.** It is the intention of the Legislature that the  
58 Tombigbee River Valley Water Management District shall maintain  
59 complete accounting and personnel records related to the  
60 expenditure of all funds appropriated under this act and that such  
61 records shall be in the same format and level of detail as  
62 maintained for Fiscal Year 2022. It is further the intention of  
63 the Legislature that the agency's budget request for Fiscal Year  
64 2024 shall be submitted to the Joint Legislative Budget Committee  
65 in a format and level of detail comparable to the format and level  
66 of detail provided during the Fiscal Year 2023 budget request  
67 process.

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

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

76 **SECTION 5.** All monies in possession of the district in  
77 excess of necessary operating funds shall be deposited with a bank  
78 or banks selected by the board of directors of the district.  
79 These funds shall be deposited in such bank or banks and in such  
80 manner that interest earned shall be at least equal to interest  
81 earnings on state funds deposited by the State Treasury.

82 **SECTION 6.** It is the intention of the Legislature that the  
83 funds herein appropriated shall be expended in compliance with  
84 Section 27-104-25, Mississippi Code of 1972, that no state agency  
85 shall incur obligations or indebtedness in excess of their  
86 appropriation and that the responsible officers, either personally  
87 or upon their official bonds, shall be held responsible for  
88 actions contrary to this provision.

89 **SECTION 7.** The money herein approved for expenditure shall  
90 be disbursed upon bank checks signed by the proper person, officer  
91 or officers, in the manner provided by law.

92 **SECTION 8.** This act shall take effect and be in force from  
93 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 APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY  
3 WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2023.

SS15\HB1621A.J

Eugene S. Clarke  
Secretary of the Senate