

Senate Amendments to House Bill No. 1607

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, 2023, and ending
17 June 30, 2024.....\$ 19,176,620.00.

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

20 AUTHORIZED HEADCOUNT:
21 Permanent: 157
22 Time-Limited: 0

23 With the funds herein appropriated, it shall be the agency's
24 responsibility to make certain that funds required for Personal
25 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
26 appropriated for that purpose unless programs or positions are
27 added to the agency's Fiscal Year 2024 budget by the Mississippi
28 Legislature. The Legislature shall determine the agency's
29 personal services appropriation, which shall be published by the
30 State Personnel Board. Additionally, the State Personnel Board
31 shall determine and publish the projected annualized payroll costs
32 based on current employees. It shall be the responsibility of the
33 agency head to ensure that actual personnel expenditures for
34 Fiscal Year 2024 do not exceed the data provided by the
35 Legislative Budget Office. If the agency's Fiscal Year 2024
36 projected cost exceeds the annualized costs, no salary actions
37 shall be processed by the State Personnel Board with the exception
38 of new hires that are determined to be essential for the agency.

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

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51 act and which are withdrawn and no longer available.

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

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

62 **SECTION 3.** It is the intention of the Legislature that the
63 Board of Trustees of the Public Employees' Retirement System shall
64 maintain complete accounting and personnel records related to the
65 expenditure of all funds appropriated under this act and that such
66 records shall be in the same format and level of detail as
67 maintained for Fiscal Year 2023. It is further the intention of
68 the Legislature that the agency's budget request for Fiscal Year
69 2025 shall be submitted to the Joint Legislative Budget Committee
70 in a format and level of detail comparable to the format and level
71 of detail provided during the Fiscal Year 2024 budget request
72 process.

73 **SECTION 4.** In accordance with the purposes of this article,
74 there shall be established in the State Treasury the Public
75 Employees' Retirement System Building Repair and Maintenance Fund,
76 into which shall be deposited all funds collected as rental income
77 from the building owned by the system located at 301 North
78 President Street, Jackson, Mississippi. At the end of each fiscal
79 year, any and all unexpended funds shall be transferred to the
80 Administrative Budget Fund of the system.

81 **SECTION 5.** It is the intention of the Legislature that
82 whenever two (2) or more bids are received by this agency for the
83 purchase of commodities or equipment, and whenever all things
84 stated in such received bids are equal with respect to price,
85 quality and service, the Mississippi Industries for the Blind
86 shall be given preference. A similar preference shall be given to
87 the Mississippi Industries for the Blind whenever purchases are
88 made without competitive bids.

89 **SECTION 6.** Of the funds appropriated in Section 1, no more
90 than Three Million Five Hundred Thirty-eight Thousand Dollars
91 (\$3,538,000.00) is provided for the purpose of defraying those
92 expenses associated with maintaining, upgrading and operating the
93 computer system.

94 **SECTION 7.** The Public Employees' Retirement System is
95 further authorized, in its discretion, to expend funds for the
96 purchase of service pins for employees of the Public Employees'
97 Retirement System.

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

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

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

114 **SECTION 11.** This act shall take effect and be in force from
115 and after July 1, 2023, and shall stand repealed June 29, 2023.

**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 2024.

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Eugene S. Clarke
Secretary of the Senate