

Senate Amendments to House Bill No. 1619

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, 2023, and ending June 30, 2024.....
12\$ 2,675,607.00.

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

15 AUTHORIZED HEADCOUNT:
16 Permanent: 32
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 2025 do not exceed Fiscal Year 2024 funds
21 appropriated for that purpose unless programs or positions are

22 added to the agency's Fiscal Year 2024 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 2024 do not exceed the data provided by the
30 Legislative Budget Office. If the agency's Fiscal Year 2024
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 State Oil and Gas Board shall maintain complete accounting and
59 personnel records related to the expenditure of all funds
60 appropriated under this act and that such records shall be in the
61 same format and level of detail as maintained for Fiscal Year
62 2023. It is further the intention of the Legislature that the
63 agency's budget request for Fiscal Year 2025 shall be submitted to
64 the Joint Legislative Budget Committee in a format and level of
65 detail comparable to the format and level of detail provided
66 during the Fiscal Year 2024 budget request process.

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

73 the Mississippi Industries for the Blind whenever purchases are
74 made without competitive bids.

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

82 **SECTION 6.** This act shall take effect and be in force from
83 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 APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD
3 FOR THE FISCAL YEAR 2024.

SS15\HB1619A.J

Eugene S. Clarke
Secretary of the Senate