

Senate Amendments to House Bill No. 1784

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, 2024, and ending June 30, 2025.....
12\$ 2,807,932.00.

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

15 AUTHORIZED HEADCOUNT:

16 Permanent:	Full Time.....	34
17 Time-Limited:	Full 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 2026 do not exceed Fiscal Year 2025 funds
21 appropriated for that purpose unless programs or positions are

22 added to the agency's Fiscal Year 2025 budget by the Mississippi
23 Legislature. The Legislature shall determine the agency's personal
24 services appropriation, which the State Personnel Board shall
25 publish. In accordance with applicable laws, if an agency
26 determines that its personal services amount is insufficient, the
27 agency must contact the State Personnel Board. Any adjustment to
28 the personal services amount must be approved by the State
29 Personnel Director and the State Fiscal Officer after consultation
30 with the Legislative Budget Office. Any adjustment shall be
31 reported to the Legislative Budget Office and the House and Senate
32 Appropriations Chairmen. The agency's personal services
33 appropriation may consist of restricted funds for approved
34 vacancies for Fiscal Year 2025 that may not be utilized for active
35 Fiscal Year 2024 headcount. It shall be the agency's
36 responsibility to ensure that the funds provided for vacancies are
37 used to increase headcount and not for promotions, title changes,
38 in-range salary adjustments, or any other mechanism for increasing
39 salaries for current employees. If the State Personnel Board
40 determines that an agency has used provided vacancy funds for any
41 of the mechanisms previously listed, the State Personnel Board
42 shall not process any additional salary actions for the agency in
43 the current fiscal year, except for new hires determined by the
44 State Personnel Board to be essential for the agency. It is the
45 Legislature's intention that no employee salary falls below the
46 minimum salary established by the Mississippi State Personnel
47 Board.

48 Additionally, the State Personnel Board shall determine and
49 publish the projected annualized payroll costs based on current
50 employees. It shall be the responsibility of the agency head to
51 ensure that actual personnel expenditures for Fiscal Year 2025 do
52 not exceed the data provided by the Legislative Budget Office. If
53 the agency's projected cost for Fiscal Year 2025 exceeds the
54 annualized costs, no salary actions shall be processed by the
55 State Personnel Board except for new hires determined to be
56 essential for the agency.

57 Any transfers or escalations shall be made in accordance with
58 the terms, conditions, and procedures established by law or
59 allowable under the terms set forth within this act. The State
60 Personnel Board shall not escalate positions without written
61 approval from the Department of Finance and Administration. The
62 Department of Finance and Administration shall not provide written
63 approval to escalate any funds for salaries and/or positions
64 without proof of availability of new or additional funds above the
65 appropriated level.

66 No general funds authorized to be expended herein shall be
67 used to replace federal funds and/or other special funds used for
68 salaries authorized under the provisions of this act and which are
69 withdrawn and no longer available.

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

74 **SECTION 3.** It is the intention of the Legislature that the
75 State Oil and Gas Board shall maintain complete accounting and
76 personnel records related to the expenditure of all funds
77 appropriated under this act and that such records shall be in the
78 same format and level of detail as maintained for Fiscal Year
79 2024. It is further the intention of the Legislature that the
80 agency's budget request for Fiscal Year 2026 shall be submitted to
81 the Joint Legislative Budget Committee in a format and level of
82 detail comparable to the format and level of detail provided
83 during the Fiscal Year 2025 budget request process.

84 **SECTION 4.** The State Oil and Gas Board shall have the
85 authority to receive, budget and expend funds from any source not
86 to exceed Two Hundred Thousand Dollars (\$200,000.00) for the
87 Comprehensive Data Management Program in accordance with rules and
88 regulations of the Department of Finance and Administration in a
89 manner consistent with the escalation of federal funds.

90 **SECTION 5.** It is the intention of the Legislature that
91 whenever two (2) or more bids are received by this agency for the
92 purchase of commodities or equipment, and whenever all things
93 stated in such received bids are equal with respect to price,
94 quality and service, the Mississippi Industries for the Blind
95 shall be given preference. A similar preference shall be given to
96 the Mississippi Industries for the Blind whenever purchases are
97 made without competitive bids.

98 **SECTION 6.** It is the intention of the Legislature that the
99 funds herein appropriated shall be expended in compliance with

100 Section 27-104-25, Mississippi Code of 1972, that no state agency
101 shall incur obligations or indebtedness in excess of their
102 appropriation and that the responsible officers, either personally
103 or upon their official bonds, shall be held responsible for
104 actions contrary to this provision.

105 **SECTION 7.** This act shall take effect and be in force from
106 and after July 1, 2024, and shall stand repealed June 29, 2024.

**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 2025.

SS15\HB1784A.J

Amanda White
Secretary of the Senate