

Senate Amendments to House Bill No. 1785

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 Pat Harrison Waterway District, for the purpose of defraying the
9 expenses of the district for the fiscal year beginning
10 July 1, 2024, and ending June 30, 2025.....
11\$ 7,056,595.00.

12 **SECTION 2.** Of the funds approved for expenditure under the
13 provisions of Section 1, the following positions are authorized:

14 AUTHORIZED HEADCOUNT:
15 Permanent: 52
16 Time-Limited: 0

17 With the funds herein appropriated, it shall be the agency's
18 responsibility to make certain that funds required for Personal
19 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
20 appropriated for that purpose unless programs or positions are
21 added to the agency's Fiscal Year 2025 budget by the Mississippi

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

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

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

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

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

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

83 **SECTION 4.** It is the intention of the Legislature that
84 whenever two (2) or more bids are received by this agency for the
85 purchase of commodities or equipment, and whenever all things
86 stated in such received bids are equal with respect to price,
87 quality and service, the Mississippi Industries for the Blind
88 shall be given preference. A similar preference shall be given to
89 the Mississippi Industries for the Blind whenever purchases are
90 made without competitive bids.

91 **SECTION 5.** The funds herein approved for expenditure, except
92 and less an amount approved by the State Fiscal Officer which
93 shall be sufficient to cover disbursements for current operations,
94 shall be deposited at interest with any official depository of the
95 state at a rate of interest numerically not less than one percent
96 (1%) below the bank discount rate on United States Treasury bills
97 of comparable maturity as determined by the State Treasurer.

98 **SECTION 6.** The Pat Harrison Waterway District shall provide
99 a report on completed park facilities repairs. This report shall
100 be provided to the Legislature by December 1, 2024, and shall
101 include photos of stated repairs. The Pat Harrison Waterway
102 District shall provide the Joint Legislative Budget Committee a
103 copy of this report with the subsequent fiscal year's budget
104 submission.

105 **SECTION 7.** The Pat Harrison Waterway District shall provide
106 an annual five-year plan containing a prioritized list detailing
107 the purposes, goals and projected costs of projects which it
108 intends to implement or is in the process of implementing. This
109 report shall be provided to the Legislature on or before July 15
110 of each year as required in Section 51-15-119(2). The Pat
111 Harrison Waterway District shall provide the Joint Legislative
112 Budget Committee a copy of this report with the current year's
113 budget submission.

114 **SECTION 8.** The Pat Harrison Waterway District shall provide
115 an annual audit of the district operations. This report shall be
116 provided to the Legislature as required in Section 51-15-119(3).
117 The Pat Harrison Waterway District shall provide the Joint
118 Legislative Budget Committee a copy of this report with the
119 current year's budget submission.

120 **SECTION 9.** It is the intention of the Legislature that the
121 funds herein appropriated shall be expended in compliance with
122 Section 27-104-25, Mississippi Code of 1972, that no state agency
123 shall incur obligations or indebtedness in excess of their

124 appropriation and that the responsible officers, either personally
125 or upon their official bonds, shall be held responsible for
126 actions contrary to this provision.

127 **SECTION 10.** The money herein approved for expenditure shall
128 be disbursed upon bank checks signed by the proper person, officer
129 or officers, in the manner provided by law.

130 **SECTION 11.** This act shall take effect and be in force from
131 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 PAT HARRISON WATERWAY
3 DISTRICT FOR THE FISCAL YEAR 2025.

SS15\HB1785A.J

Amanda White
Secretary of the Senate