

Senate Amendments to House Bill No. 1790

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, 2024, and ending June 30, 2025.....\$ 7,706,169.00.

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

15 AUTHORIZED HEADCOUNT:
16 Permanent: 17
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 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 Tombigbee River Valley Water Management District shall maintain
76 complete accounting and personnel records related to the
77 expenditure of all funds appropriated under this act and that such
78 records shall be in the same format and level of detail as
79 maintained for Fiscal Year 2024. It is further the intention of
80 the Legislature that the agency's budget request for Fiscal Year
81 2026 shall be submitted to the Joint Legislative Budget Committee
82 in a format and level of detail comparable to the format and level
83 of detail provided during the Fiscal Year 2025 budget request
84 process.

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

93 **SECTION 5.** All monies in possession of the district in
94 excess of necessary operating funds shall be deposited with a bank
95 or banks selected by the board of directors of the district.
96 These funds shall be deposited in such bank or banks and in such
97 manner that interest earned shall be at least equal to interest
98 earnings on state funds deposited by the State Treasury.

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

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

109 **SECTION 8.** This act shall take effect and be in force from
110 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 TOMBIGBEE RIVER VALLEY
3 WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2025.

SS15\HB1790A.J

Amanda White
Secretary of the Senate