

By: Representatives Read, Eakes, Broomfield,  
Brown, Coleman (29th), Denny, Ellzey, Flaggs,  
Gadd, Martinson, Mitchell

To: Appropriations

HOUSE BILL NO. 1526  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2004.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 Treasury to the credit of the Public Service Commission Regulation  
8 Fund, for the purpose of defraying the expenses of the Mississippi  
9 Public Service Commission for the fiscal year beginning  
10 July 1, 2003, and ending June 30, 2004.....  
11 ..... \$ 9,897,419.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of  
13 Section 1, not more than the amounts set forth below shall be  
14 expended for the respective major objects or purposes of  
15 expenditure:

16 MAJOR OBJECTS OF EXPENDITURE:

|    |                                       |    |                  |
|----|---------------------------------------|----|------------------|
| 17 | Personal Services:                    |    |                  |
| 18 | Salaries, Wages and Fringe Benefits.. | \$ | 6,258,086.00     |
| 19 | Travel and Subsistence.....           |    | 690,600.00       |
| 20 | Contractual Services.....             |    | 1,787,207.00     |
| 21 | Commodities.....                      |    | 375,110.00       |
| 22 | Capital Outlay:                       |    |                  |
| 23 | Other Than Equipment.....             |    | 0.00             |
| 24 | Equipment.....                        |    | 771,416.00       |
| 25 | Subsidies, Loans and Grants.....      |    | <u>15,000.00</u> |
| 26 | Total.....                            | \$ | 9,897,419.00     |

27 AUTHORIZED POSITIONS:



|    |               |                |     |
|----|---------------|----------------|-----|
| 28 | Permanent:    | Full Time..... | 135 |
| 29 |               | Part Time..... | 1   |
| 30 | Time-Limited: | Full Time..... | 0   |
| 31 |               | Part Time..... | 0   |

32 With the funds herein appropriated, it is the intention of  
33 the Legislature that it shall be the agency's responsibility to  
34 make certain that funds required to be appropriated for "Personal  
35 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
36 funds appropriated for that purpose, unless programs or positions  
37 are added to the agency's Fiscal Year 2005 budget by the  
38 Mississippi Legislature. Based on data provided by the  
39 Legislative Budget Office, the State Personnel Board shall  
40 determine and publish the projected annual cost to fully fund all  
41 appropriated positions in compliance with the provisions of this  
42 act. It shall be the responsibility of the agency head to insure  
43 that no single personnel action increases this projected annual  
44 cost and/or the Fiscal Year 2004 appropriation for "Personal  
45 Services" when annualized. If, at the end of any calendar month,  
46 the State Personnel Board determines that the agency has taken  
47 action(s) which would cause the agency to exceed this projected  
48 annual cost or the Fiscal Year 2004 "Personal Services"  
49 appropriated level, when annualized, then only those actions which  
50 reduce the projected annual cost and/or the appropriation  
51 requirement will be processed by the State Personnel Board until  
52 such time as the requirements of this provision are met.

53 Any transfers or escalations shall be made in accordance with  
54 the terms, conditions and procedures established by law.

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

59 **SECTION 3.** None of the funds herein appropriated by this act  
60 to the Public Service Commission shall be expended for any purpose



61 that is not actually required or necessary for performing any of  
62 the powers or duties of the Mississippi Public Service Commission  
63 that are authorized by the Mississippi Constitution of 1890, state  
64 or federal law, or rules or regulations that implement state or  
65 federal law.

66 **SECTION 4.** It is the intention of the Legislature that the  
67 Public Service Commission shall have the authority to escalate and  
68 expend funds from any proceeds arising from participation in drug  
69 seizure activities not to exceed Fifty Thousand Dollars  
70 (\$50,000.00), in accordance with the rules and regulations of the  
71 Department of Finance and Administration.

72 **SECTION 5.** It is the intention of the Legislature that with  
73 the funds provided herein, overtime may be paid to PSC-Enforcement  
74 Office Regulated Carrier positions, the PSC-Enforcement Officer  
75 Chief position, PSC-Enforcement Officer District Supervisor  
76 positions, PSC-Special Projects Officer IV position, and  
77 PSC-Training Director position.

78 **SECTION 6.** Of the funds provided under the provisions of  
79 this act, Seventy-two Thousand Five Hundred Forty-six Dollars  
80 (\$72,546.00) may be used to reallocate or reclassify existing  
81 positions of this agency.

82 **SECTION 7.** The money herein appropriated shall be paid by  
83 the State Treasurer out of any money in the State Treasury to the  
84 credit of the proper fund or funds as set forth in this act, upon  
85 warrants issued by the State Fiscal Officer; and the State Fiscal  
86 Officer shall issue his warrants upon requisitions signed by the  
87 proper person, officer or officers, in the manner provided by law.

88 **SECTION 8.** This act shall take effect and be in force from  
89 and after July 1, 2003.

