

By: Representatives Read, Martinson,
Broomfield, Brown, Davis, Denny, Middleton,
Miles, Weathersby, Scott

To: Appropriations

HOUSE BILL NO. 1697

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 2005.

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 authorized and approved for expenditure out
7 of any funds which are received by or otherwise become available
8 to the Pat Harrison Waterway District, for the purpose of
9 defraying the expenses of the district for the fiscal year
10 beginning July 1, 2004, and ending June 30, 2005.....
11 \$ 5,341,295.00.

12 **SECTION 2.** Of the funds approved for expenditure under the
13 provisions of Section 1, not more than the amounts set forth below
14 shall be 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..	\$ 2,309,063.00
19	Travel and Subsistence.....	25,000.00
20	Contractual Services.....	1,257,665.00
21	Commodities.....	406,736.00
22	Capital Outlay:	
23	Other Than Equipment.....	151,500.00
24	Equipment.....	138,549.00
25	Subsidies, Loans and Grants.....	<u>1,052,782.00</u>
26	Total.....	\$ 5,341,295.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	46
29		Part Time.....	54
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 2006 do not exceed Fiscal Year 2005
36 funds appropriated for that purpose, unless programs or positions
37 are added to the agency's Fiscal Year 2006 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 2005 appropriation for "Personal
45 Services" when annualized, with the exception of escalated funds.
46 If, at the time the agency takes any action to change "Personal
47 Services," the State Personnel Board determines that the agency
48 has taken an action which would cause the agency to exceed this
49 projected annual cost or the Fiscal Year 2005 "Personal Services"
50 appropriated level, when annualized, then only those actions which
51 reduce the projected annual cost and/or the appropriation
52 requirement will be processed by the State Personnel Board until
53 such time as the requirements of this provision are met.

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

61 without proof of availability of new or additional funds above the
62 appropriated level.

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

67 **SECTION 3.** The funds authorized herein shall be used to fund
68 all operations of the agency with the following prohibitions:

69 (1) The agency shall not fill any current or future vacant
70 positions;

71 (2) The agency shall not take any action to promote or
72 otherwise award salary increases through reallocation,
73 reclassification, realignment, education benchmark, career ladder,
74 or any other means to increase salaries of employees or positions
75 except as allowed under the provisions set forth in House Bill No.
76 1279, 2004 Regular Legislative Session;

77 (3) The agency shall not expend funds for out-of-state
78 travel except as allowed under the provisions set forth in House
79 Bill No. 1279, 2004 Regular Legislative Session;

80 (4) The agency shall not expend funds for the purchase of or
81 contract for cellular phones, two-way radios or pagers, except for
82 support of employees in the Department of Public Safety and the
83 Bureau of Narcotics as recommended by Information Technology
84 Services or as allowed under the provisions set forth in House
85 Bill No. 1279, 2004 Regular Legislative Session;

86 (5) The agency shall not expend funds to publish or
87 distribute any annual reports or other publications;

88 (6) The agency shall not expend funds for public relation
89 activities regarding the functions, programs or services of the
90 agency except as allowed under the provisions set forth in House
91 Bill No. 1279, 2004 Regular Legislative Session;

92 (7) The agency shall not advertise the functions, programs
93 or services of the agency except that the Mississippi Development

94 Authority is authorized to expend funds for advertising to carry
95 out the purposes of key programs administered by the authority;

96 (8) The agency shall not expend funds for staff development
97 or training services;

98 (9) The agency shall not expend funds for the purchase of
99 new or replacement equipment or furniture, excluding lease
100 purchase payments on agreements in effect upon passage of this
101 appropriation bill, except as allowed under the provisions set
102 forth in House Bill No. 1279, 2004 Regular Legislative Session.

103 **SECTION 4.** It is the intention of the Legislature that none
104 of the funds appropriated above shall be expended unless members
105 of the Mississippi House of Representatives and Mississippi Senate
106 are notified at least five (5) days prior to a public ceremony
107 announcing the award of any grant in their district or any public
108 announcement or ceremony regarding the groundbreaking or opening
109 of a facility, roadway or bridge for which the Legislature has
110 made funds available. Any signage regarding any public event or
111 any new facility, roadway or bridge shall include the following
112 language: "Funds were made available for this project by the
113 Mississippi State Legislature."

114 **SECTION 5.** It is the intention of the Legislature that the
115 Pat Harrison Waterway District shall maintain complete accounting
116 and personnel records related to the expenditure of all funds
117 appropriated under this act and that such records shall be in the
118 same format and level of detail as maintained for Fiscal Year
119 2004. It is further the intention of the Legislature that the
120 agency's budget request for Fiscal Year 2006 shall be submitted to
121 the Joint Legislative Budget Committee in a format and level of
122 detail comparable to the format and level of detail provided
123 during the Fiscal Year 2005 budget request process.

124 **SECTION 6.** The funds herein approved for expenditure, except
125 and less an amount approved by the State Fiscal Officer which
126 shall be sufficient to cover disbursements for current operations,

127 shall be deposited at interest with any official depository of the
128 state at a rate of interest numerically not less than one percent
129 (1%) below the bank discount rate on United States Treasury bills
130 of comparable maturity as determined by the State Treasurer.

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

134 **SECTION 8.** This act shall take effect and be in force from
135 and after July 1, 2004.