

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

To: Appropriations

HOUSE BILL NO. 1697
(As Sent to Governor)

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 \$ 5,755,132.00.

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..	\$	2,395,428.00
19	Travel and Subsistence.....		25,000.00
20	Contractual Services.....		1,359,668.00
21	Commodities.....		406,736.00
22	Capital Outlay:		
23	Other Than Equipment.....		156,500.00
24	Equipment.....		193,800.00
25	Subsidies, Loans and Grants.....		<u>1,218,000.00</u>
26	Total.....	\$	5,755,132.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	50
29		Part Time.....	65
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.** It is the intention of the Legislature that the
68 Pat Harrison Waterway District shall maintain complete accounting
69 and personnel records related to the expenditure of all funds
70 appropriated under this act and that such records shall be in the
71 same format and level of detail as maintained for Fiscal Year
72 2004. It is further the intention of the Legislature that the
73 agency's budget request for Fiscal Year 2006 shall be submitted to
74 the Joint Legislative Budget Committee in a format and level of
75 detail comparable to the format and level of detail provided
76 during the Fiscal Year 2005 budget request process.

77 **SECTION 4.** It is the intention of the Legislature that the
78 agency shall provide a report reflecting Fiscal Year 2004 usage of
79 wireless communication devices which shall include cellular
80 phones, two-way radios, pagers, or any other means of wireless
81 communications to the Chairman of the House Appropriations
82 Committee, the Chairman of the Senate Appropriations Committee,
83 and the State Auditor by September 1, 2004. The report shall
84 contain, but not be limited to, the following:

85 (1) The number of wireless communication devices provided to
86 employees by the agency;

87 (2) The annual cost of usage of wireless communication
88 devices by each employee of the agency who is issued a wireless
89 communication device;

90 (3) Separate justification of the usage of wireless
91 communication devices by those employees issued wireless
92 communication devices; and

93 (4) To determine whether quantifiable benefits are
94 associated with the utilization of wireless communications and
95 whether such service provides more efficient or effective service
96 delivery.

97 **SECTION 5.** The funds herein approved for expenditure, except
98 and less an amount approved by the State Fiscal Officer which
99 shall be sufficient to cover disbursements for current operations,
100 shall be deposited at interest with any official depository of the
101 state at a rate of interest numerically not less than one percent
102 (1%) below the bank discount rate on United States Treasury bills
103 of comparable maturity as determined by the State Treasurer.

104 **SECTION 6.** The money herein approved for expenditure shall
105 be disbursed upon bank checks signed by the proper person, officer
106 or officers, in the manner provided by law.

107 **SECTION 7.** This act shall take effect and be in force from
108 and after July 1, 2004.