

HOUSE BILL NO. 1698

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER BASIN
3 DEVELOPMENT 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 Pearl River Basin Development 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 \$ 1,518,764.00.

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..	\$ 577,564.00
19 Travel and Subsistence.....	30,000.00
20 Contractual Services.....	233,200.00
21 Commodities.....	40,000.00
22 Capital Outlay:	
23 Other Than Equipment.....	83,000.00
24 Equipment.....	0.00
25 Subsidies, Loans and Grants.....	<u>555,000.00</u>
26 Total.....	\$ 1,518,764.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	12
29		Part Time.....	3
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

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

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and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. It is the intention of the Legislature that the Pearl River Basin Development District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2004. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2006 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2005 budget request process.

SECTION 6. It is the intention of the Legislature that the Director of the Pearl River Basin Development District shall be authorized to escalate, budget and expend funds from any source,

not to exceed Five Hundred Thousand Dollars (\$500,000.00), for the purpose of maintaining the Lower Pearl Restoration Project in accordance with the Project Cooperation Agreement with the United States Army Corps of Engineers and to maintain the South Jackson Clearing Project in an area along the Pearl River in Hinds County and Rankin County, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 7. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 8. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 9. This act shall take effect and be in force from and after July 1, 2004.