

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

To: Appropriations

HOUSE BILL NO. 1699

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER
3 SUPPLY 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 Valley Water Supply District, for the purpose
9 of defraying the expenses of the district for the fiscal year
10 beginning July 1, 2004, and ending June 30, 2005.....
11 \$ 10,671,118.00.

12 **SECTION 2.** With the funds approved for expenditure under the
13 provisions of Section 1, the following positions are authorized:

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	88
16		Part Time.....	7
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

19 With the funds herein appropriated, it is the intention of
20 the Legislature that it shall be the agency's responsibility to
21 make certain that funds required to be appropriated for "Personal
22 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
23 funds appropriated for that purpose, unless programs or positions
24 are added to the agency's Fiscal Year 2006 budget by the
25 Mississippi Legislature. Based on data provided by the
26 Legislative Budget Office, the State Personnel Board shall
27 determine and publish the projected annual cost to fully fund all

28 appropriated positions in compliance with the provisions of this
29 act. It shall be the responsibility of the agency head to insure
30 that no single personnel action increases this projected annual
31 cost and/or the Fiscal Year 2005 appropriation for "Personal
32 Services" when annualized, with the exception of escalated funds.
33 If, at the time the agency takes any action to change "Personal
34 Services," the State Personnel Board determines that the agency
35 has taken an action which would cause the agency to exceed this
36 projected annual cost or the Fiscal Year 2005 "Personal Services"
37 appropriated level, when annualized, then only those actions which
38 reduce the projected annual cost and/or the appropriation
39 requirement will be processed by the State Personnel Board until
40 such time as the requirements of this provision are met.

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions and procedures established by law or
43 allowable under the terms set forth within this act. The State
44 Personnel Board shall not escalate positions without written
45 approval from the Department of Finance and Administration. The
46 Department of Finance and Administration shall not provide written
47 approval to escalate any funds for salaries and/or positions
48 without proof of availability of new or additional funds above the
49 appropriated level.

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

54 With the funds herein appropriated, funds are included and
55 authorized in the Salaries, Wages and Fringe Benefits major object
56 of expenditure to pay "call back pay" in lieu of "compensatory
57 time credit," at the discretion of the Director of the Pearl River
58 Valley Water Supply District, to any employee who must work on a
59 statutory holiday or any holiday proclaimed by the Governor.

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

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

64 (2) The agency shall not take any action to promote or
65 otherwise award salary increases through reallocation,
66 reclassification, realignment, education benchmark, career ladder,
67 or any other means to increase salaries of employees or positions
68 except as allowed under the provisions set forth in House Bill No.
69 1279, 2004 Regular Legislative Session;

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

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

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

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

85 (7) The agency shall not advertise the functions, programs
86 or services of the agency except that the Mississippi Development
87 Authority is authorized to expend funds for advertising to carry
88 out the purposes of key programs administered by the authority;

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

91 (9) The agency shall not expend funds for the purchase of
92 new or replacement equipment or furniture, excluding lease

93 purchase payments on agreements in effect upon passage of this
94 appropriation bill, except as allowed under the provisions set
95 forth in House Bill No. 1279, 2004 Regular Legislative Session.

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

107 **SECTION 5.** It is the intention of the Legislature that the
108 Pearl River Valley Water Supply District shall maintain complete
109 accounting and personnel records related to the expenditure of all
110 funds appropriated under this act and that such records shall be
111 in the same format and level of detail as maintained for Fiscal
112 Year 2004. It is further the intention of the Legislature that
113 the agency's budget request for Fiscal Year 2006 shall be
114 submitted to the Joint Legislative Budget Committee in a format
115 and level of detail comparable to the format and level of detail
116 provided during the Fiscal Year 2005 budget request process.

117 **SECTION 6.** The funds herein approved for expenditure, except
118 and less an amount approved by the State Fiscal Officer which
119 shall be sufficient to cover disbursements for current operations,
120 shall be deposited at interest with any official depository of the
121 state at a rate of interest numerically not less than one percent
122 (1%) below the bank discount rate on United States Treasury bills
123 of comparable maturity as determined by the State Treasurer.

124 **SECTION 7.** The money herein approved for expenditure shall
125 be disbursed upon bank checks signed by the proper person, officer

126 or officers, in the manner provided by law or in accordance with
127 the provisions of a valid trust indenture.

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