

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

To: Appropriations

HOUSE BILL NO. 1700

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY
3 WATER MANAGEMENT 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 Tombigbee River Valley Water Management District, for the
9 purpose of paying bond maturities, accrued interest, maintenance
10 expenses, project development costs, and any other authorized
11 expenses of the water management district, for the fiscal year
12 beginning July 1, 2004, and ending June 30, 2005.....
13 \$ 2,801,592.00.

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

18 MAJOR OBJECTS OF EXPENDITURE:

19 Personal Services:

20	Salaries, Wages and Fringe Benefits..	\$ 662,083.00
21	Travel and Subsistence.....	43,615.00
22	Contractual Services.....	236,744.00
23	Commodities.....	167,000.00
24	Capital Outlay:	
25	Other Than Equipment.....	1,228,000.00
26	Equipment.....	424,150.00
27	Subsidies, Loans and Grants.....	<u>40,000.00</u>

28 Total..... \$ 2,801,592.00

29 AUTHORIZED POSITIONS:

30	Permanent:	Full Time.....	15
31		Part Time.....	0
32	Time-Limited:	Full Time.....	0
33		Part Time.....	0

34 With the funds herein appropriated, it is the intention of
35 the Legislature that it shall be the agency's responsibility to
36 make certain that funds required to be appropriated for "Personal
37 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
38 funds appropriated for that purpose, unless programs or positions
39 are added to the agency's Fiscal Year 2006 budget by the
40 Mississippi Legislature. Based on data provided by the
41 Legislative Budget Office, the State Personnel Board shall
42 determine and publish the projected annual cost to fully fund all
43 appropriated positions in compliance with the provisions of this
44 act. It shall be the responsibility of the agency head to insure
45 that no single personnel action increases this projected annual
46 cost and/or the Fiscal Year 2005 appropriation for "Personal
47 Services" when annualized, with the exception of escalated funds.
48 If, at the time the agency takes any action to change "Personal
49 Services," the State Personnel Board determines that the agency
50 has taken an action which would cause the agency to exceed this
51 projected annual cost or the Fiscal Year 2005 "Personal Services"
52 appropriated level, when annualized, then only those actions which
53 reduce the projected annual cost and/or the appropriation
54 requirement will be processed by the State Personnel Board until
55 such time as the requirements of this provision are met.

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

61 Department of Finance and Administration shall not provide written
62 approval to escalate any funds for salaries and/or positions
63 without proof of availability of new or additional funds above the
64 appropriated level.

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

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

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

73 (2) The agency shall not take any action to promote or
74 otherwise award salary increases through reallocation,
75 reclassification, realignment, education benchmark, career ladder,
76 or any other means to increase salaries of employees or positions
77 except as allowed under the provisions set forth in House Bill No.
78 1279, 2004 Regular Legislative Session;

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

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

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

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

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

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

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

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

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

127 **SECTION 6.** All monies in possession of the district in
128 excess of necessary operating funds shall be deposited with a bank
129 or banks selected by the board of directors of the district.
130 These funds shall be deposited in such bank or banks and in such
131 manner that interest earned shall be at least equal to interest
132 earnings on state funds deposited by the State Treasury.

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

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