

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

To: Appropriations

HOUSE BILL NO. 1700  
(As Sent to Governor)

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 ..... \$ 3,301,060.00.

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..	\$	749,910.00
21	Travel and Subsistence.....		46,000.00
22	Contractual Services.....		400,000.00
23	Commodities.....		167,000.00
24	Capital Outlay:		
25	Other Than Equipment.....		1,428,000.00
26	Equipment.....		470,150.00
27	Subsidies, Loans and Grants.....		<u>40,000.00</u>

28                   Total..... \$           3,301,060.00

29       AUTHORIZED POSITIONS:

30       Permanent:	Full Time.....	18
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.** It is the intention of the Legislature that the  
70 Tombigbee River Valley Water Management District shall maintain  
71 complete accounting and personnel records related to the  
72 expenditure of all funds appropriated under this act and that such  
73 records shall be in the same format and level of detail as  
74 maintained for Fiscal Year 2004. It is further the intention of  
75 the Legislature that the agency's budget request for Fiscal Year  
76 2006 shall be submitted to the Joint Legislative Budget Committee  
77 in a format and level of detail comparable to the format and level  
78 of detail provided during the Fiscal Year 2005 budget request  
79 process.

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

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

90 (2) The annual cost of usage of wireless communication  
91 devices by each employee of the agency who is issued a wireless  
92 communication device;

93           (3) Separate justification of the usage of wireless  
94 communication devices by those employees issued wireless  
95 communication devices; and

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

100           **SECTION 5.** All monies in possession of the district in  
101 excess of necessary operating funds shall be deposited with a bank  
102 or banks selected by the board of directors of the district.  
103 These funds shall be deposited in such bank or banks and in such  
104 manner that interest earned shall be at least equal to interest  
105 earnings on state funds deposited by the State Treasury.

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

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