

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

To: Appropriations

HOUSE BILL NO. 1710

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT
3 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 Mississippi State Port Authority at Gulfport, for the
9 purpose of defraying the expenses of the authority for the fiscal
10 year beginning July 1, 2004, and ending June 30, 2005.....
11 \$ 37,705,909.00.

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

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	68
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

19 Any transfers or escalations shall be made in accordance with
20 the terms, conditions and procedures established by law.

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24 act and which are withdrawn and no longer available.

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

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

29 (2) The agency shall not take any action to promote or
30 otherwise award salary increases through reallocation,
31 reclassification, realignment, education benchmark, career ladder,
32 or any other means to increase salaries of employees or positions
33 except as allowed under the provisions set forth in House Bill No.
34 1279, 2004 Regular Legislative Session;

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

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

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

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

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

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

56 (9) The agency shall not expend funds for the purchase of
57 new or replacement equipment or furniture, excluding lease
58 purchase payments on agreements in effect upon passage of this

59 appropriation bill, except as allowed under the provisions set
60 forth in House Bill No. 1279, 2004 Regular Legislative Session.

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

72 **SECTION 5.** It is the intention of the Legislature that the
73 Mississippi State Port Authority at Gulfport shall maintain
74 complete accounting and personnel records related to the
75 expenditure of all funds appropriated under this act and that such
76 records shall be in the same format and level of detail as
77 maintained for Fiscal Year 2004. It is further the intention of
78 the Legislature that the agency's budget request for Fiscal Year
79 2006 shall be submitted to the Joint Legislative Budget Committee
80 in a format and level of detail comparable to the format and level
81 of detail provided during the Fiscal Year 2005 budget request
82 process.

83 **SECTION 6.** In the event of a natural disaster or other major
84 catastrophe whereby the expenditure of funds above the limits
85 contained herein are deemed necessary to rapidly repair or restore
86 port facilities, the Port Authority and the Mississippi
87 Development Authority, with the approval of the Department of
88 Finance and Administration, may escalate expenditures under
89 Section 1 and the major objects contained in Section 2. However,
90 no escalation shall be authorized until source and availability of
91 such funds is shown.

92 **SECTION 7.** It is the intention of the Legislature that the
93 Mississippi State Port Authority at Gulfport is hereby authorized
94 to escalate and expend funds from any source in accordance with
95 applicable rules and regulations of the Department of Finance and
96 Administration in a manner consistent with the escalation of
97 federal funds.

98 **SECTION 8.** The money appropriated under the provisions of
99 Section 1 shall be disbursed upon bank checks signed by the proper
100 person, officer or officers, in the manner provided by law.

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