

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

To: Appropriations

HOUSE BILL NO. 1586  
(As Sent to Governor)

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 2007.

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, 2006, and ending June 30, 2007.....  
11 ..... \$ 2,117,514.00.

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

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	12
16		Part Time.....	3
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

19 Funds are provided herein to adjust the Variable Compensation  
20 Plan to ensure that all full-time employees receive a pay increase  
21 equal to the realignment component of the Variable Compensation  
22 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
23 with not more than one-half (1/2) to be awarded on July 1, 2006,  
24 with the remainder to be awarded on January 1, 2007.

25 With the funds herein appropriated, it is the intention of  
26 the Legislature that it shall be the agency's responsibility to  
27 make certain that funds required to be appropriated for "Personal

28 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
29 funds appropriated for that purpose, unless programs or positions  
30 are added to the agency's Fiscal Year 2008 budget by the  
31 Mississippi Legislature. Based on data provided by the  
32 Legislative Budget Office, the State Personnel Board shall  
33 determine and publish the projected annual cost to fully fund all  
34 appropriated positions in compliance with the provisions of this  
35 act. It shall be the responsibility of the agency head to insure  
36 that no single personnel action increases this projected annual  
37 cost and/or the Fiscal Year 2007 appropriation for "Personal  
38 Services" when annualized, with the exception of escalated funds.  
39 If, at the time the agency takes any action to change "Personal  
40 Services," the State Personnel Board determines that the agency  
41 has taken an action which would cause the agency to exceed this  
42 projected annual cost or the Fiscal Year 2007 "Personal Services"  
43 appropriated level, when annualized, then only those actions which  
44 reduce the projected annual cost and/or the appropriation  
45 requirement will be processed by the State Personnel Board until  
46 such time as the requirements of this provision are met.

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

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

60           **SECTION 3.** It is the intention of the Legislature that the  
61 Pearl River Basin Development District shall maintain complete  
62 accounting and personnel records related to the expenditure of all  
63 funds appropriated under this act and that such records shall be  
64 in the same format and level of detail as maintained for Fiscal  
65 Year 2006. It is further the intention of the Legislature that  
66 the agency's budget request for Fiscal Year 2008 shall be  
67 submitted to the Joint Legislative Budget Committee in a format  
68 and level of detail comparable to the format and level of detail  
69 provided during the Fiscal Year 2007 budget request process.

70           **SECTION 4.** It is the intention of the Legislature that the  
71 Director of the Pearl River Basin Development District shall be  
72 authorized to escalate, budget and expend funds from any source,  
73 not to exceed Five Hundred Thousand Dollars (\$500,000.00), for the  
74 purpose of maintaining the Lower Pearl Restoration Project in  
75 accordance with the Project Cooperation Agreement with the United  
76 States Army Corps of Engineers and to maintain the South Jackson  
77 Clearing Project in an area along the Pearl River in Hinds County  
78 and Rankin County, in accordance with rules and regulations of the  
79 Department of Finance and Administration in a manner consistent  
80 with the escalation of federal funds.

81           **SECTION 5.** It is the intention of the Legislature that  
82 whenever two (2) or more bids are received by this agency for the  
83 purchase of commodities or equipment, and whenever all things  
84 stated in such received bids are equal with respect to price,  
85 quality and service, the Mississippi Industries for the Blind  
86 shall be given preference. A similar preference shall be given to  
87 the Mississippi Industries for the Blind whenever purchases are  
88 made without competitive bids.

89           **SECTION 6.** The funds herein approved for expenditure, except  
90 and less an amount approved by the State Fiscal Officer which  
91 shall be sufficient to cover disbursements for current operations,  
92 shall be deposited at interest with any official depository of the

93 state at a rate of interest numerically not less than one percent  
94 (1%) below the bank discount rate on United States Treasury bills  
95 of comparable maturity as determined by the State Treasurer.

96         **SECTION 7.** The money herein approved for expenditure shall  
97 be disbursed upon bank checks signed by the proper person, officer  
98 or officers, in the manner provided by law or in accordance with  
99 the provisions of a valid trust indenture.

100         **SECTION 8.** This act shall take effect and be in force from  
101 and after July 1, 2006.