

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

To: Appropriations

HOUSE BILL NO. 1658
(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 2008.

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, 2007, and ending June 30, 2008.....
11 \$ 1,859,380.00.

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 One Thousand Five Hundred Dollars (\$1,500.00), whichever
23 is greater, to be awarded on July 1, 2007.

24 With the funds herein appropriated, it is the intention of
25 the Legislature that it shall be the agency's responsibility to
26 make certain that funds required to be appropriated for "Personal
27 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008

28 funds appropriated for that purpose, unless programs or positions
29 are added to the agency's Fiscal Year 2008 budget by the
30 Mississippi Legislature. Based on data provided by the
31 Legislative Budget Office, the State Personnel Board shall
32 determine and publish the projected annual cost to fully fund all
33 appropriated positions in compliance with the provisions of this
34 act. It shall be the responsibility of the agency head to insure
35 that no single personnel action increases this projected annual
36 cost and/or the Fiscal Year 2008 appropriations for "Personal
37 Services" when annualized, with the exception of escalated funds
38 and educational benchmarks. If, at the time the agency takes any
39 action to change "Personal Services", the State Personnel Board
40 determines that the agency has taken an action which would cause
41 the agency to exceed this projected annual cost or the Fiscal Year
42 2008 "Personal Services" appropriated level, when annualized, then
43 only those actions which reduce the projected annual cost and/or
44 the appropriation requirement will be processed by the State
45 Personnel Board until such time as the requirements of this
46 provision are met. On January 1, 2008, the State Personnel Board
47 will make adjustments to the structure side of the compliance
48 report based on data provided by the Legislative Budget Office in
49 order for agencies to award educational benchmarks.

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

59 No general funds authorized to be expended herein shall be
60 used to replace federal funds and/or other special funds which are

61 being used for salaries authorized under the provisions of this
62 act and which are withdrawn and no longer available.

63 **SECTION 3.** It is the intention of the Legislature that the
64 Pearl River Basin Development District shall maintain complete
65 accounting and personnel records related to the expenditure of all
66 funds appropriated under this act and that such records shall be
67 in the same format and level of detail as maintained for Fiscal
68 Year 2007. It is further the intention of the Legislature that
69 the agency's budget request for Fiscal Year 2009 shall be
70 submitted to the Joint Legislative Budget Committee in a format
71 and level of detail comparable to the format and level of detail
72 provided during the Fiscal Year 2008 budget request process.

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

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

92 **SECTION 6.** The funds herein approved for expenditure, except
93 and less an amount approved by the State Fiscal Officer which

94 shall be sufficient to cover disbursements for current operations,
95 shall be deposited at interest with any official depository of the
96 state at a rate of interest numerically not less than one percent
97 (1%) below the bank discount rate on United States Treasury bills
98 of comparable maturity as determined by the State Treasurer.

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

103 **SECTION 8.** This act shall take effect and be in force from
104 and after July 1, 2007.