

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

To: Appropriations

HOUSE BILL NO. 1674

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI PUBLIC SERVICE COMMISSION 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 appropriated out of any money in the State
7 Treasury to the credit of the Public Service Commission Regulation
8 Fund, for the purpose of defraying the expenses of the Mississippi
9 Public Service Commission for the fiscal year beginning
10 July 1, 2007, and ending June 30, 2008.....
11 \$ 5,489,758.00.

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

16 MAJOR OBJECTS OF EXPENDITURE:

17 Personal Services:

18 Salaries, Wages and Fringe Benefits.. \$ 3,933,132.00
19 Travel and Subsistence..... 398,000.00
20 Contractual Services..... 813,306.00
21 Commodities..... 115,000.00

22 Capital Outlay:

23 Other Than Equipment..... 0.00
24 Equipment..... 223,320.00
25 Vehicles..... 0.00
26 Wireless Communication Devices..... 0.00
27 Subsidies, Loans and Grants..... 7,000.00

28 Total..... \$ 5,489,758.00

29 AUTHORIZED POSITIONS:

30 Permanent:	Full Time.....	72
31	Part Time.....	1
32 Time-Limited:	Full Time.....	0
33	Part Time.....	0

34 Funds are provided herein to adjust the Variable Compensation
35 Plan to ensure that all full-time employees receive a pay increase
36 equal to the realignment component of the Variable Compensation
37 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
38 is greater.

39 With the funds herein appropriated, it is the intention of
40 the Legislature that it shall be the agency's responsibility to
41 make certain that funds required to be appropriated for "Personal
42 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
43 funds appropriated for that purpose, unless programs or positions
44 are added to the agency's Fiscal Year 2009 budget by the
45 Mississippi Legislature. Based on data provided by the
46 Legislative Budget Office, the State Personnel Board shall
47 determine and publish the projected annual cost to fully fund all
48 appropriated positions in compliance with the provisions of this
49 act. It shall be the responsibility of the agency head to insure
50 that no single personnel action increases this projected annual
51 cost and/or the Fiscal Year 2008 appropriation for "Personal
52 Services" when annualized, with the exception of escalated funds.
53 If, at the time the agency takes any action to change "Personal
54 Services," the State Personnel Board determines that the agency
55 has taken an action which would cause the agency to exceed this
56 projected annual cost or the Fiscal Year 2008 "Personal Services"
57 appropriated level, when annualized, then only those actions which
58 reduce the projected annual cost and/or the appropriation
59 requirement will be processed by the State Personnel Board until
60 such time as the requirements of this provision are met.

61 Any transfers or escalations shall be made in accordance with
62 the terms, conditions and procedures established by law or
63 allowable under the terms set forth within this act. The State
64 Personnel Board shall not escalate positions without written
65 approval from the Department of Finance and Administration. The
66 Department of Finance and Administration shall not provide written
67 approval to escalate any funds for salaries and/or positions
68 without proof of availability of new or additional funds above the
69 appropriated level.

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

74 **SECTION 3.** None of the funds herein appropriated by this act
75 to the Public Service Commission shall be expended for any purpose
76 that is not actually required or necessary for performing any of
77 the powers or duties of the Mississippi Public Service Commission
78 that are authorized by the Mississippi Constitution of 1890, state
79 or federal law, or rules or regulations that implement state or
80 federal law.

81 **SECTION 4.** It is the intention of the Legislature that the
82 Public Service Commission shall maintain complete accounting and
83 personnel records related to the expenditure of all funds
84 appropriated under this act and that such records shall be in the
85 same format and level of detail as maintained for Fiscal Year
86 2007. It is further the intention of the Legislature that the
87 agency's budget request for Fiscal Year 2009 shall be submitted to
88 the Joint Legislative Budget Committee in a format and level of
89 detail comparable to the format and level of detail provided
90 during the Fiscal Year 2008 budget request process.

91 **SECTION 5.** In addition to all other sums herein
92 appropriated, the following sum, or so much thereof as may be
93 necessary, is appropriated out of any money in the State Treasury

94 to the credit of the Public Service Commission, for the purpose of
95 defraying the expenses of the Public Service Commission to
96 administer the Mississippi Telephone Solicitation Act, for the
97 fiscal year beginning July 1, 2007, and ending June 30, 2008.....
98 \$ 160,000.00.

99 **SECTION 6.** It is the intention of the Legislature that
100 whenever two (2) or more bids are received by this agency for the
101 purchase of commodities or equipment, and whenever all things
102 stated in such received bids are equal with respect to price,
103 quality and service, the Mississippi Industries for the Blind
104 shall be given preference. A similar preference shall be given to
105 the Mississippi Industries for the Blind whenever purchases are
106 made without competitive bids.

107 **SECTION 7.** The money herein appropriated shall be paid by
108 the State Treasurer out of any money in the State Treasury to the
109 credit of the proper fund or funds as set forth in this act, upon
110 warrants issued by the State Fiscal Officer; and the State Fiscal
111 Officer shall issue his warrants upon requisitions signed by the
112 proper person, officer or officers, in the manner provided by law.

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