

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1657

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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 Pat Harrison Waterway 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 \$ 8,453,660.00.

12 **SECTION 2.** Of the funds approved for expenditure under the
13 provisions of Section 1, not more than the amounts set forth below
14 shall be 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.. \$ 3,292,274.00

19 Travel and Subsistence..... 32,366.00

20 Contractual Services..... 2,769,731.00

21 Commodities..... 644,367.00

22 Capital Outlay:

23 Other Than Equipment..... 385,440.00

24	Equipment.....	101,250.00
25	Vehicles.....	100,503.00
26	Wireless Communication Devices.....	0.00
27	Subsidies, Loans and Grants.....	<u>1,127,729.00</u>
28	Total..... \$	8,453,660.00

29 AUTHORIZED POSITIONS:

30	Permanent: Full Time.....	58
31	Part Time.....	62
32	Time-Limited: Full Time.....	3
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 Dollars (\$1,000.00), or Three Percent (3%)
38 whichever is greater, to be awarded on July 1, 2007.

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 The agency shall not take any action to promote or otherwise
75 award salary increases through reallocation, reclassification,
76 realignment, education benchmark, career ladder, or any other
77 means to increase salaries of employees or positions unless
78 specifically exempted by the following conditions: the award of
79 teacher pay increases, the advancement of a trainee/cadet to the
80 next level of a bona fide career ladder, the award of an
81 educational benchmark for the attainment of Certified Public
82 Accountant License or higher level professional certification as
83 determined by the State Personnel Board, the immediate replacement
84 of a departing employee with an individual from within state
85 service or a new hire at a salary level equivalent to that of the
86 departing employee, and the emergency appointment of nurses,
87 pharmacists or other health care professionals at a salary to be

88 determined by the State Personnel Board, unless otherwise
89 authorized in this act.

90 **SECTION 3.** It is the intention of the Legislature that the
91 Pat Harrison Waterway District shall maintain complete accounting
92 and personnel records related to the expenditure of all funds
93 appropriated under this act and that such records shall be in the
94 same format and level of detail as maintained for Fiscal Year
95 2007. It is further the intention of the Legislature that the
96 agency's budget request for Fiscal Year 2009 shall be submitted to
97 the Joint Legislative Budget Committee in a format and level of
98 detail comparable to the format and level of detail provided
99 during the Fiscal Year 2008 budget request process.

100 **SECTION 4.** Of the funds provided under the provisions of
101 this act, Thirteen Thousand Five Hundred Sixty-one Dollars
102 (\$13,561.00) is provided to reallocate 3 (three) positions and
103 Eight Thousand One Hundred Thirty-eight Dollars (\$8,138.00) is
104 provided to reclassify 4 (four) positions.

105 **SECTION 5.** It is the intention of the Legislature that
106 whenever two (2) or more bids are received by this agency for the
107 purchase of commodities or equipment, and whenever all things
108 stated in such received bids are equal with respect to price,
109 quality and service, the Mississippi Industries for the Blind
110 shall be given preference. A similar preference shall be given to
111 the Mississippi Industries for the Blind whenever purchases are
112 made without competitive bids.

113 **SECTION 6.** The funds herein approved for expenditure, except
114 and less an amount approved by the State Fiscal Officer which
115 shall be sufficient to cover disbursements for current operations,
116 shall be deposited at interest with any official depository of the
117 state at a rate of interest numerically not less than one percent
118 (1%) below the bank discount rate on United States Treasury bills
119 of comparable maturity as determined by the State Treasurer.

120 **SECTION 7.** The money herein approved for expenditure shall
121 be disbursed upon bank checks signed by the proper person, officer
122 or officers, in the manner provided by law.

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