

By: Representatives Read, Ladner, Arnold,
Barton, Bennett, Brown, Cockerham, Holland,
Huddleston (15th), Myers, Staples, Sullivan,
Watson

To: Appropriations

HOUSE BILL NO. 1613

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER
3 SUPPLY DISTRICT FOR THE FISCAL YEAR 2019.

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 authorized and approved for expenditure out of any
7 funds which are received by or otherwise become available to the
8 Pearl River Valley Water Supply District, for the purpose of
9 defraying the expenses of the district for the fiscal year
10 beginning July 1, 2018, and ending June 30, 2019.....
11\$ 18,209,440.00.

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

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	119
16		Part Time.....	0
17	Time-Limited:	Full Time.....	2
18		Part Time.....	0



19 With the funds herein appropriated, it shall be the agency's
20 responsibility to make certain that funds required to be
21 appropriated for "Personal Services" for Fiscal Year 2020 do not
22 exceed Fiscal Year 2019 funds appropriated for that purpose,
23 unless programs or positions are added to the agency's Fiscal Year
24 2019 budget by the Mississippi Legislature. Based on data
25 provided by the Legislative Budget Office, the State Personnel
26 Board shall determine and publish the projected annual cost to
27 fully fund all appropriated positions in compliance with the
28 provisions of this act. It shall be the responsibility of the
29 agency head to ensure that no single personnel action increases
30 this projected annual cost and/or the Fiscal Year 2019
31 appropriations for "Personal Services" when annualized, with the
32 exception of escalated funds and the award of benchmarks. If, at
33 the time the agency takes any action to change "Personal
34 Services," the State Personnel Board determines that the agency
35 has taken an action which would cause the agency to exceed this
36 projected annual cost or the Fiscal Year 2019 "Personal Services"
37 appropriated level, when annualized, then only those actions which
38 reduce the projected annual cost and/or the appropriation
39 requirement will be processed by the State Personnel Board until
40 such time as the requirements of this provision are met.

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions and procedures established by law or
43 allowable under the terms set forth within this act. The State



44 Personnel Board shall not escalate positions without written
45 approval from the Department of Finance and Administration. The
46 Department of Finance and Administration shall not provide written
47 approval to escalate any funds for salaries and/or positions
48 without proof of availability of new or additional funds above the
49 appropriated level.

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

54 None of the funds herein appropriated shall be used in
55 violation of Internal Revenue Service's Publication 15-A relating
56 to the reporting of income paid to contract employees, as
57 interpreted by the Office of the State Auditor.

58 **SECTION 3.** It is the intention of the Legislature that the
59 Pearl River Valley Water Supply District shall maintain complete
60 accounting and personnel records related to the expenditure of all
61 funds appropriated under this act and that such records shall be
62 in the same format and level of detail as maintained for Fiscal
63 Year 2018. It is further the intention of the Legislature that
64 the agency's budget request for Fiscal Year 2020 shall be
65 submitted to the Joint Legislative Budget Committee in a format
66 and level of detail comparable to the format and level of detail
67 provided during the Fiscal Year 2019 budget request process.



68 **SECTION 4.** It is the intention of the Legislature that
69 whenever two (2) or more bids are received by this agency for the
70 purchase of commodities or equipment, and whenever all things
71 stated in such received bids are equal with respect to price,
72 quality and service, the Mississippi Industries for the Blind
73 shall be given preference. A similar preference shall be given to
74 the Mississippi Industries for the Blind whenever purchases are
75 made without competitive bids.

76 **SECTION 5.** The funds herein approved for expenditure, except
77 and less an amount approved by the State Fiscal Officer which
78 shall be sufficient to cover disbursements for current operations,
79 shall be deposited at interest with any official depository of the
80 state at a rate of interest numerically not less than one percent
81 (1%) below the bank discount rate on United States Treasury bills
82 of comparable maturity as determined by the State Treasurer.

83 **SECTION 6.** None of the funds appropriated for expenditure
84 under this act may be expended by Pearl River Valley Water Supply
85 District until the district agrees to comply with the following
86 conditions: (1) If any local governmental or nonprofit entity
87 wins the bid for the ESPN Bass Masters Classic or the FLW Major
88 Open, these events shall be exempt from the district's lottery
89 system for host events at the reservoir and given priority of any
90 and all date options available. (2) If any local governmental or
91 nonprofit entity wins the bid for such events, the district shall
92 waive the daily launch fees or any other special event fees for



93 the ESPN Bass Masters Classic or the FLW Major Open. (3) The
94 Catch A Dream Foundation Bass Classic shall be held on the first
95 Sunday in May unless any local governmental or nonprofit entity
96 wins the bid for the ESPN Bass Masters Classic or the FLW Major
97 Open on that date. The Catch A Dream Foundation Bass Classic
98 shall be exempt from the district's lottery system for host events
99 at the reservoir and given priority for the first Sunday in May.
100 The district shall waive the daily launch fees or any other
101 special event fees for the Classic.

102 **SECTION 7.** Of the funds appropriated herein, Two Hundred
103 Thousand Dollars (\$200,000.00) is provided for salary increase for
104 the purpose of funding overtime, callback or standby pay.

105 **SECTION 8.** It is the intention of the Legislature that the
106 funds herein appropriated shall be expended in compliance with
107 Section 27-104-25, Mississippi Code of 1972, that no state agency
108 shall incur obligations or indebtedness in excess of their
109 appropriation and that the responsible officers, either personally
110 or upon their official bonds, shall be held responsible for
111 actions contrary to this provision.

112 **SECTION 9.** The money herein approved for expenditure shall
113 be disbursed upon bank checks signed by the proper person, officer
114 or officers, in the manner provided by law or in accordance with
115 the provisions of a valid trust indenture.

116 **SECTION 10.** It is the intention of the Legislature that this
117 agency shall have the authority to expend funds from any source



118 that may become available to the agency in accordance with the
119 rules and regulations of the Department of Finance and
120 Administration in a manner consistent with the escalation of
121 federal funds for the purpose of funding any increase in health
122 insurance costs for Fiscal Year 2019, or for the purpose of
123 funding additional fees, costs or assessments received by the
124 agency from the Department of Information Technology Services or
125 the Department of Finance and Administration for Fiscal Year 2019
126 that may be incurred by the agency as a result of legislation
127 passed during the 2018 Regular Session of the Legislature and
128 approved by the Governor. The agency is authorized to escalate
129 other special funds for the limited purposes provided in this
130 section in an amount not to exceed Thirteen Thousand Sixty-eight
131 Dollars (\$13,068.00).

132 **SECTION 11.** This act shall take effect and be in force from
133 and after July 1, 2018.

