

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

To: Appropriations

HOUSE BILL NO. 1614

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY  
3 WATER MANAGEMENT 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 Tombigbee River Valley Water Management District, for the purpose  
9 of paying bond maturities, accrued interest, maintenance expenses,  
10 project development costs, and any other authorized expenses of  
11 the water management district, for the fiscal year beginning  
12 July 1, 2018, and ending June 30, 2019.....  
13 .....\$ 8,708,322.00.

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

16 AUTHORIZED POSITIONS:

17	Permanent:	Full Time.....	17
18		Part Time.....	0



19 Time-Limited: Full Time..... 0  
20 Part Time..... 0

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



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

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

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

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



68 in a format and level of detail comparable to the format and level  
69 of detail provided during the Fiscal Year 2019 budget request  
70 process.

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

79         **SECTION 5.** All monies in possession of the district in  
80 excess of necessary operating funds shall be deposited with a bank  
81 or banks selected by the board of directors of the district.  
82 These funds shall be deposited in such bank or banks and in such  
83 manner that interest earned shall be at least equal to interest  
84 earnings on state funds deposited by the State Treasury.

85         **SECTION 6.** It is the intention of the Legislature that the  
86 funds herein appropriated shall be expended in compliance with  
87 Section 27-104-25, Mississippi Code of 1972, that no state agency  
88 shall incur obligations or indebtedness in excess of their  
89 appropriation and that the responsible officers, either personally  
90 or upon their official bonds, shall be held responsible for  
91 actions contrary to this provision.



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

95           **SECTION 8.** It is the intention of the Legislature that this  
96 agency shall have the authority to expend funds from any source  
97 that may become available to the agency in accordance with the  
98 rules and regulations of the Department of Finance and  
99 Administration in a manner consistent with the escalation of  
100 federal funds for the purpose of funding any increase in health  
101 insurance costs for Fiscal Year 2019, or for the purpose of  
102 funding additional fees, costs or assessments received by the  
103 agency from the Department of Information Technology Services or  
104 the Department of Finance and Administration for Fiscal Year 2019  
105 that may be incurred by the agency as a result of legislation  
106 passed during the 2018 Regular Session of the Legislature and  
107 approved by the Governor. The agency is authorized to escalate  
108 other special funds for the limited purposes provided in this  
109 section in an amount not to exceed One Thousand Eight Hundred  
110 Forty-eight Dollars (\$1,848.00).

111           **SECTION 9.** This act shall take effect and be in force from  
112 and after July 1, 2018.

