

By: Representatives Read, Ladner, Arnold,
Cockerham, Haney, Turner

To: Appropriations

HOUSE BILL NO. 1618

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY
3 DISTRICT FOR THE FISCAL YEAR 2023.

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 Pat Harrison Waterway District, for the purpose of defraying the
9 expenses of the district for the fiscal year beginning
10 July 1, 2022, and ending June 30, 2023.....
11\$ 5,600,234.00.

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.....	36
16		Part Time.....	20
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0



19 With the funds herein appropriated, it shall be the agency's
20 responsibility to make certain that funds required for "Personal
21 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
22 funds appropriated for that purpose unless programs or positions
23 are added to the agency's Fiscal Year 2023 budget by the
24 Mississippi Legislature. The Legislature shall determine the
25 agency's personal services appropriation, which shall be published
26 by the State Personnel Board. Additionally, the State Personnel
27 Board shall determine and publish the projected annualized payroll
28 costs based on current employees. It shall be the responsibility
29 of the agency head to ensure that actual personnel expenditures
30 for Fiscal Year 2023 do not exceed the data provided by the
31 Legislative Budget Office. If the agency's Fiscal Year 2023
32 projected cost exceeds the annualized costs, no salary actions
33 shall be processed by the State Personnel Board with the exception
34 of new hires that are determined to be essential for the agency.

35 Any transfers or escalations shall be made in accordance with
36 the terms, conditions and procedures established by law or
37 allowable under the terms set forth within this act. The State
38 Personnel Board shall not escalate positions without written
39 approval from the Department of Finance and Administration. The
40 Department of Finance and Administration shall not provide written
41 approval to escalate any funds for salaries and/or positions
42 without proof of availability of new or additional funds above the
43 appropriated level.



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47 act and which are withdrawn and no longer available.

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

52 Funds have been appropriated herein for the purpose of
53 funding Project SEC2 minimum salaries for all employees covered
54 under the Colonel Guy Groff/Neville Kenning Variable Compensation
55 Plan. It shall be the agency's responsibility to ensure that the
56 funds are used to increase all employees' salaries up to the
57 minimum level as determined by the State Personnel Board.

58 **SECTION 3.** It is the intention of the Legislature that the
59 Pat Harrison Waterway District shall maintain complete accounting
60 and personnel records related to the expenditure of all funds
61 appropriated under this act and that such records shall be in the
62 same format and level of detail as maintained for Fiscal Year
63 2022. It is further the intention of the Legislature that the
64 agency's budget request for Fiscal Year 2024 shall be submitted to
65 the Joint Legislative Budget Committee in a format and level of
66 detail comparable to the format and level of detail provided
67 during the Fiscal Year 2023 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.** It is the intention of the Legislature that the
84 funds herein appropriated shall be expended in compliance with
85 Section 27-104-25, Mississippi Code of 1972, that no state agency
86 shall incur obligations or indebtedness in excess of their
87 appropriation and that the responsible officers, either personally
88 or upon their official bonds, shall be held responsible for
89 actions contrary to this provision.

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



93 **SECTION 8.** This act shall take effect and be in force from
94 and after July 1, 2022, and shall stand repealed June 30, 2022.

