

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

To: Appropriations

HOUSE BILL NO. 1618
(As Sent to Governor)

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\$ 6,471,863.00.

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

14 AUTHORIZED HEADCOUNT:

15 Permanent: 58
16 Time-Limited: 0

17 With the funds herein appropriated, it shall be the agency's
18 responsibility to make certain that funds required for Personal



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

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

42 No general funds authorized to be expended herein shall be
43 used to replace federal funds and/or other special funds which are



44 being used for salaries authorized under the provisions of this
45 act and which are withdrawn and no longer available.

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

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

56 **SECTION 3.** It is the intention of the Legislature that the
57 Pat Harrison Waterway District shall maintain complete accounting
58 and personnel records related to the expenditure of all funds
59 appropriated under this act and that such records shall be in the
60 same format and level of detail as maintained for Fiscal Year
61 2022. It is further the intention of the Legislature that the
62 agency's budget request for Fiscal Year 2024 shall be submitted to
63 the Joint Legislative Budget Committee in a format and level of
64 detail comparable to the format and level of detail provided
65 during the Fiscal Year 2023 budget request process.

66 **SECTION 4.** It is the intention of the Legislature that
67 whenever two (2) or more bids are received by this agency for the
68 purchase of commodities or equipment, and whenever all things



69 stated in such received bids are equal with respect to price,
70 quality and service, the Mississippi Industries for the Blind
71 shall be given preference. A similar preference shall be given to
72 the Mississippi Industries for the Blind whenever purchases are
73 made without competitive bids.

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

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

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

91 **SECTION 8.** This act shall take effect and be in force from
92 and after July 1, 2022.

