

By: Representatives Read, Martinson,  
Broomfield, Brown, Davis, Denny, Huddleston,  
Middleton, Miles, Weathersby

To: Appropriations

HOUSE BILL NO. 1602

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2007.

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 hereby appropriated out of any money in the State  
7 Treasury to the credit of the Public Service Commission Regulation  
8 Fund, for the purpose of defraying the expenses of the Mississippi  
9 Public Service Commission for the fiscal year beginning  
10 July 1, 2006, and ending June 30, 2007.....  
11 ..... \$ 4,949,352.00.

12 SECTION 2. Of the funds appropriated under the provisions of  
13 Section 1, not more than the amounts set forth below shall be  
14 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..	\$ 3,466,726.00
19	Travel and Subsistence.....	350,000.00
20	Contractual Services.....	787,306.00
21	Commodities.....	115,000.00
22	Capital Outlay:	
23	Other Than Equipment.....	0.00
24	Equipment.....	223,320.00
25	Subsidies, Loans and Grants.....	<u>7,000.00</u>
26	Total.....	\$ 4,949,352.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	70
29		Part Time.....	1
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

32 For the fiscal year beginning on July 1, 2006, funds are  
33 provided herein to adjust the annual compensation of each employee  
34 who has been employed for twelve (12) months or longer by an  
35 amount equal to One Thousand Dollars (\$1,000.00), effective on  
36 July 1, 2006.

37 With the funds herein appropriated, it is the intention of  
38 the Legislature that it shall be the agency's responsibility to  
39 make certain that funds required to be appropriated for "Personal  
40 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
41 funds appropriated for that purpose, unless programs or positions  
42 are added to the agency's Fiscal Year 2008 budget by the  
43 Mississippi Legislature. Based on data provided by the  
44 Legislative Budget Office, the State Personnel Board shall  
45 determine and publish the projected annual cost to fully fund all  
46 appropriated positions in compliance with the provisions of this  
47 act. It shall be the responsibility of the agency head to insure  
48 that no single personnel action increases this projected annual  
49 cost and/or the Fiscal Year 2007 appropriation for "Personal  
50 Services" when annualized, with the exception of escalated funds.  
51 If, at the time the agency takes any action to change "Personal  
52 Services," the State Personnel Board determines that the agency  
53 has taken an action which would cause the agency to exceed this  
54 projected annual cost or the Fiscal Year 2007 "Personal Services"  
55 appropriated level, when annualized, then only those actions which  
56 reduce the projected annual cost and/or the appropriation  
57 requirement will be processed by the State Personnel Board until  
58 such time as the requirements of this provision are met.

59 Any transfers or escalations shall be made in accordance with  
60 the terms, conditions and procedures established by law or

61 allowable under the terms set forth within this act. The State  
62 Personnel Board shall not escalate positions without written  
63 approval from the Department of Finance and Administration. The  
64 Department of Finance and Administration shall not provide written  
65 approval to escalate any funds for salaries and/or positions  
66 without proof of availability of new or additional funds above the  
67 appropriated level.

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

72 **SECTION 3.** None of the funds herein appropriated by this act  
73 to the Public Service Commission shall be expended for any purpose  
74 that is not actually required or necessary for performing any of  
75 the powers or duties of the Mississippi Public Service Commission  
76 that are authorized by the Mississippi Constitution of 1890, state  
77 or federal law, or rules or regulations that implement state or  
78 federal law.

79 **SECTION 4.** It is the intention of the Legislature that the  
80 Public Service Commission shall maintain complete accounting and  
81 personnel records related to the expenditure of all funds  
82 appropriated under this act and that such records shall be in the  
83 same format and level of detail as maintained for Fiscal Year  
84 2006. It is further the intention of the Legislature that the  
85 agency's budget request for Fiscal Year 2008 shall be submitted to  
86 the Joint Legislative Budget Committee in a format and level of  
87 detail comparable to the format and level of detail provided  
88 during the Fiscal Year 2007 budget request process.

89 **SECTION 5.** In addition to all other sums herein  
90 appropriated, the following sum, or so much thereof as may be  
91 necessary, is appropriated out of any money in the State Treasury  
92 to the credit of the Public Service Commission, for the purpose of  
93 defraying the expenses of the Public Service Commission to

94 administer the Mississippi Telephone Solicitation Act, for the  
95 fiscal year beginning July 1, 2006, and ending June 30, 2007.....  
96 ..... \$ 160,000.00.

97 **SECTION 6.** It is the intention of the Legislature that  
98 whenever two (2) or more bids are received by this agency for the  
99 purchase of commodities or equipment, and whenever all things  
100 stated in such received bids are equal with respect to price,  
101 quality and service, the Mississippi Industries for the Blind  
102 shall be given preference. A similar preference shall be given to  
103 the Mississippi Industries for the Blind whenever purchases are  
104 made without competitive bids.

105 **SECTION 7.** The money herein appropriated shall be paid by  
106 the State Treasurer out of any money in the State Treasury to the  
107 credit of the proper fund or funds as set forth in this act, upon  
108 warrants issued by the State Fiscal Officer; and the State Fiscal  
109 Officer shall issue his warrants upon requisitions signed by the  
110 proper person, officer or officers, in the manner provided by law.

111 **SECTION 8.** This act shall take effect and be in force from  
112 and after July 1, 2006.