

**Senate Amendments to House Bill No. 1658**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

5       **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby authorized and approved for expenditure out  
7 of any funds which are received by or otherwise become available  
8 to the Pearl River Basin Development District, for the purpose of  
9 defraying the expenses of the district for the fiscal year  
10 beginning July 1, 2007, and ending June 30, 2008.....  
11 ..... \$       1,854,806.00.

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.....	12
16	Part Time.....	3
17       Time-Limited:	Full Time.....	0
18	Part Time.....	0

19       Funds are provided herein to adjust the Variable Compensation  
20 Plan to ensure that all full-time employees receive a pay increase  
21 equal to the realignment component of the Variable Compensation  
22 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)  
23 whichever is greater, to be awarded on July 1, 2007.

24       With the funds herein appropriated, it is the intention of  
25 the Legislature that it shall be the agency's responsibility to  
26 make certain that funds required to be appropriated for "Personal  
27 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
28 funds appropriated for that purpose, unless programs or positions  
29 are added to the agency's Fiscal Year 2009 budget by the  
30 Mississippi Legislature. Based on data provided by the

31 Legislative Budget Office, the State Personnel Board shall  
32 determine and publish the projected annual cost to fully fund all  
33 appropriated positions in compliance with the provisions of this  
34 act. It shall be the responsibility of the agency head to insure  
35 that no single personnel action increases this projected annual  
36 cost and/or the Fiscal Year 2008 appropriation for "Personal  
37 Services" when annualized, with the exception of escalated funds.  
38 If, at the time the agency takes any action to change "Personal  
39 Services," the State Personnel Board determines that the agency  
40 has taken an action which would cause the agency to exceed this  
41 projected annual cost or the Fiscal Year 2008 "Personal Services"  
42 appropriated level, when annualized, then only those actions which  
43 reduce the projected annual cost and/or the appropriation  
44 requirement will be processed by the State Personnel Board until  
45 such time as the requirements of this provision are met.

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

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

59 The agency shall not take any action to promote or otherwise  
60 award salary increases through reallocation, reclassification,  
61 realignment, education benchmark, career ladder, or any other  
62 means to increase salaries of employees or positions unless  
63 specifically exempted by the following conditions: the award of  
64 teacher pay increases, the advancement of a trainee/cadet to the  
65 next level of a bona fide career ladder, the award of an

66 educational benchmark for the attainment of Certified Public  
67 Accountant License or higher level professional certification as  
68 determined by the State Personnel Board, the immediate replacement  
69 of a departing employee with an individual from within state  
70 service or a new hire at a salary level equivalent to that of the  
71 departing employee, and the emergency appointment of nurses,  
72 pharmacists or other health care professionals at a salary to be  
73 determined by the State Personnel Board, unless otherwise  
74 authorized in this act.

75       **SECTION 3.** It is the intention of the Legislature that the  
76 Pearl River Basin Development District shall maintain complete  
77 accounting and personnel records related to the expenditure of all  
78 funds appropriated under this act and that such records shall be  
79 in the same format and level of detail as maintained for Fiscal  
80 Year 2007. It is further the intention of the Legislature that  
81 the agency's budget request for Fiscal Year 2009 shall be  
82 submitted to the Joint Legislative Budget Committee in a format  
83 and level of detail comparable to the format and level of detail  
84 provided during the Fiscal Year 2008 budget request process.

85       **SECTION 4.** It is the intention of the Legislature that the  
86 Director of the Pearl River Basin Development District shall be  
87 authorized to escalate, budget and expend funds from any source,  
88 not to exceed Five Hundred Thousand Dollars (\$500,000.00), for the  
89 purpose of maintaining the Lower Pearl Restoration Project in  
90 accordance with the Project Cooperation Agreement with the United  
91 States Army Corps of Engineers and to maintain the South Jackson  
92 Clearing Project in an area along the Pearl River in Hinds County  
93 and Rankin County, in accordance with rules and regulations of the  
94 Department of Finance and Administration in a manner consistent  
95 with the escalation of federal funds.

96       **SECTION 5.** It is the intention of the Legislature that  
97 whenever two (2) or more bids are received by this agency for the  
98 purchase of commodities or equipment, and whenever all things  
99 stated in such received bids are equal with respect to price,  
100 quality and service, the Mississippi Industries for the Blind

101 shall be given preference. A similar preference shall be given to  
102 the Mississippi Industries for the Blind whenever purchases are  
103 made without competitive bids.

104       **SECTION 6.** The funds herein approved for expenditure, except  
105 and less an amount approved by the State Fiscal Officer which  
106 shall be sufficient to cover disbursements for current operations,  
107 shall be deposited at interest with any official depository of the  
108 state at a rate of interest numerically not less than one percent  
109 (1%) below the bank discount rate on United States Treasury bills  
110 of comparable maturity as determined by the State Treasurer.

111       **SECTION 7.** The money herein approved for expenditure shall  
112 be disbursed upon bank checks signed by the proper person, officer  
113 or officers, in the manner provided by law or in accordance with  
114 the provisions of a valid trust indenture.

115       **SECTION 8.** This act shall take effect and be in force from  
116 and after July 1, 2007.

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John O. Gilbert  
Secretary of the Senate