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Chapter No. 21
11/HR13/A480
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HOUSE BILL NO. 1509

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1509

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2012.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Pat Harrison Waterway District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2011, and ending June 30, 2012 \$ 7,504,731.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	72
	Part Time	49
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2013 do not exceed Fiscal Year 2012 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2012 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all

appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2012 appropriations for "Personal Services" when annualized, with the exception of escalated funds. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2012 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

SECTION 3. It is the intention of the Legislature that the Pat Harrison Waterway District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2011. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2013 shall be submitted to

the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2012 budget request process.

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

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

SECTION 6. It is the intention of the Legislature that the agency shall compile cell phone usage records of any cellular phone (wireless communication device) that is assigned, issued or made available to any officer or employee in accordance with Section 25-53-191, Mississippi Code of 1972, and these records shall be made publicly available at the expense of the agency.

SECTION 7. It is legislative intent to ensure beneficial information reaches as many Mississippians as possible. Further, it is legislative intent that the expenditure of public funds for this purpose be accomplished in an efficient and effective manner.

Therefore, state agencies as standard procedure will observe the following criteria:

- (a) Develop goals and desired result for a campaign.

(b) Evaluate effectiveness through respected advertising standards, including market reach and cost effectiveness.

(c) Seek public service announcements, which would be aired by media without cost.

(d) Itemize and justify professional assistance and related expenses for creative and production costs outside of the actual media expenditures.

(e) Utilize Mississippi-owned media companies when feasible.

SECTION 8. No former employee who is receiving State of Mississippi retirement benefits shall be hired under contract for an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year without prior approval by an agency's proper governing board or authority. Upon approval of such contracts, a written report shall be submitted detailing the cost and need of such contract services to the Chairmen and members of the Senate and House Appropriations Committees.

SECTION 9. It is the intention of the Legislature that the Pat Harrison Waterway District shall have the authority to accept, budget and expend funds, which is comprised of special funds to the office, not to exceed One Hundred Thousand Dollars (\$100,000.00). Such funds are to be escalated in accordance with procedures for federal fund escalations as established in Section 27-104-21, Mississippi Code of 1972, and expended for the purposes of performing such duties as set forth by law in accordance with applicable rules and regulations of the State Fiscal Officer. Such special funds shall consist of and be derived from the Maintenance Reserve Fund for the purpose of emergency repairs of cabins located on the District's property.

SECTION 10. The Pat Harrison Waterway District is authorized to (a) expend funds that it receives under the provisions of the federal American Recovery and Reinvestment Act of 2009 (ARRA) to

construct a lake and related structures and facilities in George County, Mississippi, if the ARRA funds received by the district may be used for that purpose; (b) obtain any information and research regarding construction of the lake and related structures and facilities from the Department of Wildlife, Fisheries and Parks; and (c) receive and expend any funds made available to the district from the department for the construction of the lake and related structures and facilities.

SECTION 11. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2011.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 15, 2011


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 9, 2011


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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