

By: Representatives Brown, Denny, Flaggs,
Henderson (9th)

To: Appropriations

HOUSE BILL NO. 1622
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR
3 RELATED PURPOSES, FOR THE FISCAL YEAR 2000.

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 General Fund not otherwise appropriated, for the support and
8 maintenance of the Department of Environmental Quality for the
9 fiscal year beginning July 1, 1999, and ending June 30, 2000.....

10 \$ 17,414,882.00.

11 SECTION 2. The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in any special
13 fund in the State Treasury to the credit of the Department of
14 Environmental Quality which is comprised of special source funds
15 collected by or otherwise available to the department, for the
16 support of the various offices of the department for the fiscal
17 year beginning July 1, 1999, and ending June 30, 2000.....

18 \$ 88,934,029.00.

19 SECTION 3. With the funds appropriated under the provisions
20 of Section 1 and Section 2, the following funding levels and
21 positions are authorized for the respective divisions or offices:

22 ENVIRONMENTAL QUALITY - ADMINISTRATIVE SERVICES

23 FUNDING:

24	General Funds.....	\$	2,116,132.00
25	Special Funds.....		<u>4,272,265.00</u>
26	Total.....	\$	6,388,397.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.	43
29		Part Time.	0
30	Time-Limited:	Full Time.	43
31		Part Time.	0

OFFICE OF GEOLOGY AND ENERGY RESOURCES

FUNDING:

34	General Funds.....	\$	1,582,695.00
35	Special Funds.....		<u>671,866.00</u>
36	Total.....	\$	2,254,561.00

AUTHORIZED POSITIONS:

38	Permanent:	Full Time.	32
39		Part Time.	0
40	Time-Limited:	Full Time.	8
41		Part Time.	0

OFFICE OF LAND AND WATER RESOURCES

FUNDING:

44	General Funds.....	\$	2,609,062.00
45	Special Funds.....		<u>0.00</u>
46	Total.....	\$	2,609,062.00

AUTHORIZED POSITIONS:

48	Permanent:	Full Time.	31
49		Part Time.	0
50	Time-Limited:	Full Time.	0
51		Part Time.	0

OFFICE OF POLLUTION CONTROL

FUNDING:

54	General Funds.....	\$	10,316,993.00
55	Special Funds.....		<u>41,211,245.00</u>
56	Total.....	\$	51,528,238.00

AUTHORIZED POSITIONS:

58	Permanent:	Full Time.	207
59		Part Time.	0
60	Time-Limited:	Full Time.	172
61		Part Time.	0

62 STATE REVOLVING LOAN PROGRAM

63 FUNDING:

64	General Funds.....	\$	790,000.00
65	Special Funds.....		<u>42,778,653.00</u>
66	Total.....	\$	43,568,653.00

67 AUTHORIZED POSITIONS:

68	Permanent:	Full Time.	0
69		Part Time.	0
70	Time-Limited:	Full Time.	0
71		Part Time.	0

72 From the funds provided herein, funds may be expended for the
73 following purposes, in compliance with the policies established by
74 the State Personnel Board and any conditions placed on such
75 expenditures:

76 (a) The components of the Variable Compensation Plan
77 shall be maintained within the constraints of the funds
78 appropriated herein.

79 (b) Funds are provided to adjust the Variable
80 Compensation Plan, including realignment, to ensure that all
81 full-time employees with at least six (6) months of continuous
82 current service, as of June 30, 1999, receive an increase of One
83 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
84 adjust critical job classes up to an additional One Thousand
85 Dollars (\$1,000.00).

86 (c) If an employee is currently at or above the end
87 salary for his or her job classification, then the increase shall
88 be built into the employee's base salary. To be eligible for any
89 increase authorized in this section, employees may not have a
90 current performance rating below "meets expectations" as of the
91 effective date of the increase. Employees who subsequently
92 receive a performance rating of "meets expectations" or above
93 during Fiscal Year 2000 shall receive the salary increase
94 effective the date of the rating.

95 It is the agency's responsibility to make certain that funds

96 required to be appropriated for "Personal Services" for Fiscal
97 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for
98 that purpose unless programs or positions are added to the
99 agency's budget by the Mississippi Legislature.

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

104 Unless expressly authorized herein by the Legislature, no
105 funds appropriated shall be expended to pay expenses incurred by
106 more than four (4) employees or other representatives of the
107 agency for attending the same conference, seminar or workshop,
108 either in-state or out-of-state; however, such funds may be
109 expended for expenses incurred by more than four (4) employees or
110 other representatives for attendance at the same conference,
111 seminar or workshop (a) if attendance is required in order to
112 maintain professional certification or licensure, which
113 certification or licensure is required by the employees' job
114 descriptions or by law, or (b) if such expenditure has received
115 the prior written approval of the Department of Finance and
116 Administration.

117 SECTION 4. It is the intent of the Legislature that the
118 Department of Environmental Quality shall have authority to
119 escalate the various budgets in both funds and positions, with the
120 approval of the State Fiscal Officer, from any special funds
121 collected or available, in the current fiscal year or any prior
122 fiscal year, not to exceed Five Million Dollars (\$5,000,000.00),
123 to the agency for expenditure. Upon such approval, the Department
124 of Environmental Quality may expend such funds in the manner
125 authorized by law.

126 The Executive Director of the Department of Environmental
127 Quality shall submit to the Department of Finance and
128 Administration a certified statement providing a detailed
129 explanation for any escalation, including a justification for the

130 establishment of any new positions or reclassification of existing
131 positions and the existence of any required matching funds for
132 those positions, and an assessment of the impact on the agency's
133 general fund budget for the three (3) fiscal years following the
134 fiscal year in which the escalation is requested.

135 SECTION 5. It shall be unlawful for any officer, employee or
136 other person whatsoever to use or permit or authorize the use of
137 any automobile or any other motor vehicle owned by the State of
138 Mississippi or any department, agency or institution thereof for
139 any purpose other than upon the official business of the State of
140 Mississippi or any agency, department or institution thereof.

141 It is the intent of the Legislature that motor vehicles
142 authorized to be owned and operated by this agency shall comply
143 with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

144 SECTION 6. In compliance with the "Mississippi Performance
145 Budget and Strategic Planning Act of 1994," it is the intent of
146 the Legislature that the funds provided herein shall be utilized
147 in the most efficient and effective manner possible to achieve the
148 intended mission of this agency. Based on the funding authorized,
149 this agency shall make every effort to attain the targeted
150 performance measures provided below:

	FY00
<u>Performance Measures</u>	<u>Target</u>
Pollution Control	
Air-compliance assurance activities (actions)	1730
Air-permits issued (permits)	444
Asbestos-persons certified (persons)	1,000
RCRA-inspections (actions)	80
RCRA-permit actions taken (actions)	10
Uncontrolled sites (sites)	201
WST tires-compliance assurance (actions)	320
SLD Waste-permits processed (permits)	140
SRF Water-inspections (sites)	2,410
SRF Water-NPDES permits issued (permits)	236

164	SRF Admin-Fed/State Match Funds (%)	90
165	Construction Grants	
166	Federal/State Match Funds Awarded (%)	90
167	Recipient compliance with loan agreement (%)	90
168	Land and Water	
169	Test/data collection wells (wells)	2,500
170	Water levels measured (actions)	100
171	Dams inspected (dams)	100
172	Driller license issued (licenses)	200
173	Water withdrawal permits issued (permits)	2,000
174	Geology	
175	Leases/permits issued (items)	3
176	Publications issued (documents)	25
177	Test holes drilled (tests)	24
178	Quadrangles mapped (sites)	9
179	Mines inspected (mines)	1,250

180 Administrative Services

181 Fees collected (dollars) 40,000,000

182 A reporting of the degree to which the performance targets
183 set above have been or are being achieved shall be provided in the
184 agency's budget request submitted to the Joint Legislative Budget
185 Committee for Fiscal Year 2001.

186 SECTION 7. It is the intention of the Legislature that the
187 Executive Director of the Department of Environmental Quality may
188 transfer between the various offices authorized herein both funds
189 and positions not to exceed five percent (5%) of the total funds
190 authorized in Sections 1 and 2 and all positions authorized in
191 Section 3. The Executive Director of the Department of
192 Environmental Quality shall submit written justification for the
193 transfer to the Legislative Budget Office and the Department of
194 Finance and Administration on or before the 15th of the month
195 prior to the effective date of the transfer.

196 SECTION 8. Of the funds appropriated in Section 2 and
197 allocated in Section 3, an amount no greater than One Hundred

198 Fifty Thousand Dollars (\$150,000.00) shall be derived from the
199 Pollution Emergency Fund within the Pollution Operating Fund for
200 transfer to the Department of Environmental Quality - Office of
201 Administrative Services for support of Legal Division
202 Environmental Protection activities.

203 SECTION 9. The money herein appropriated shall be paid by
204 the State Treasurer out of any money in the State Treasury to the
205 credit of the proper fund or funds as set forth in this act, upon
206 warrants issued by the State Fiscal Officer; and the State Fiscal
207 Officer shall issue his warrants upon requisitions signed by the
208 proper person, officer or officers, in the manner provided by law.

209 SECTION 10. This act shall take effect and be in force from
210 and after July 1, 1999.