

By: Senator(s) Gordon, Little, Jackson  
(32nd), Harden, Hyde-Smith, Posey, Walls

To: Appropriations

SENATE BILL NO. 3135

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE  
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI INSTITUTE FOR  
3 FOREST INVENTORY FOR FISCAL YEAR 2005.

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 Mississippi Institute for Forest  
8 Inventory which is comprised of special source funds and donations  
9 collected by or otherwise available to the Institute for the  
10 purpose of defraying the expenses of the Institute for the period  
11 beginning July 1, 2004, and ending June 30, 2005.....  
12 ..... \$ 224,910.00.

13 **SECTION 2.** With the funds appropriated under the provisions  
14 of this act, the following positions are authorized and shall be  
15 under the authority of the State Personnel Board:

16 AUTHORIZED POSITIONS:

17	Permanent:	Full Time.....	8
18		Part Time.....	0
19	Time-Limited:	Full Time.....	0
20		Part Time.....	0

21 With the funds herein appropriated, it is the intention of  
22 the Legislature that it shall be the agency's responsibility to  
23 make certain that funds required to be appropriated for "Personal  
24 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005  
25 funds appropriated for that purpose, unless programs or positions  
26 are added to the agency's Fiscal Year 2006 budget by the  
27 Mississippi Legislature. Based on data provided by the

28 Legislative Budget Office, the State Personnel Board shall  
29 determine and publish the projected annual cost to fully fund all  
30 appropriated positions in compliance with the provisions of this  
31 act. It shall be the responsibility of the agency head to insure  
32 that no single personnel action increases this projected annual  
33 cost and/or the Fiscal Year 2005 appropriation for "Personal  
34 Services" when annualized, with the exception of escalated funds.  
35 If, at the time the agency takes any action to change "Personal  
36 Services," the State Personnel Board determines that the agency  
37 has taken an action which would cause the agency to exceed this  
38 projected annual cost or the Fiscal Year 2005 "Personal Services"  
39 appropriated level, when annualized, then only those actions which  
40 reduce the projected annual cost and/or the appropriation  
41 requirement will be processed by the State Personnel Board until  
42 such time as the requirements of this provision are met.

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

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

56 **SECTION 3.** This appropriation is made for the purpose of  
57 providing funds to defray the expenses of the Mississippi  
58 Institute for Forest Inventory as established in Section  
59 49-19-403.

60           **SECTION 4.** It is the intention of the Legislature that the  
61 Mississippi Institute for Forest Inventory is hereby authorized to  
62 accept, budget and expend funds, not to exceed One Million Dollars  
63 (\$1,000,000.00), from any source in accordance with rules and  
64 regulations of the Department of Finance and Administration in a  
65 manner consistent with the escalation of federal funds.

66           **SECTION 5.** The money herein appropriated shall be paid by  
67 the State Treasurer out of any money in the proper fund or funds  
68 as set forth in this act, upon warrants issued by the State Fiscal  
69 Officer; and the State Fiscal Officer shall issue his warrants  
70 upon requisitions signed by the proper person, officer or officers  
71 in the manner provided by law.

72           **SECTION 6.** This act shall take effect and be in force from  
73 and after July 1, 2004.