

By: Representatives Eaton, Gibbs, Frierson,
Hamilton (109th), Holland, Hudson, Martinson,
Middleton, Miles, Shows, Warren

To: Appropriations

HOUSE BILL NO. 1567

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION
3 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 General Fund not otherwise appropriated, to the State Soil and
8 Water Conservation Commission for the purpose of defraying the
9 administrative expenses of the commission and carrying out the
10 provisions of Section 69-27-1 et seq., Mississippi Code of 1972,
11 for the fiscal year beginning July 1, 2006, and ending
12 June 30, 2007..... \$ 703,133.00.

13 **SECTION 2.** The following sum, or so much thereof as may be
14 necessary, is hereby appropriated out of any money in the special
15 fund in the State Treasury to the credit of the State Soil and
16 Water Conservation Commission which is comprised of special source
17 funds collected by or otherwise available to the commission, for
18 the purpose of defraying the expenses of the commission for the
19 fiscal year beginning July 1, 2006, and ending June 30, 2007.....
20 \$ 3,299,352.00.

21 **SECTION 3.** Of the funds appropriated under the provisions of
22 Section 1 and Section 2, not more than the amounts set forth below
23 shall be expended for the respective major objects or purposes of
24 expenditure:

25 MAJOR OBJECTS OF EXPENDITURE:

26 Personal Services:

27 Salaries, Wages and Fringe Benefits.. \$ 813,102.00

28	Travel and Subsistence.....	15,197.00
29	Contractual Services.....	877,641.00
30	Commodities.....	45,945.00
31	Capital Outlay:	
32	Other Than Equipment.....	0.00
33	Equipment.....	0.00
34	Subsidies, Loans and Grants.....	<u>2,250,600.00</u>
35	Total.....	\$ 4,002,485.00
36	FUNDING:	
37	General Funds.....	\$ 703,133.00
38	Special Funds.....	<u>3,299,352.00</u>
39	Total.....	\$ 4,002,485.00

40 AUTHORIZED POSITIONS:

41	Permanent: Full Time.....	15
42	Part Time.....	0
43	Time-Limited: Full Time.....	2
44	Part Time.....	0

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

50 With the funds herein appropriated, it is the intention of
51 the Legislature that it shall be the agency's responsibility to
52 make certain that funds required to be appropriated for "Personal
53 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
54 funds appropriated for that purpose, unless programs or positions
55 are added to the agency's Fiscal Year 2008 budget by the
56 Mississippi Legislature. Based on data provided by the
57 Legislative Budget Office, the State Personnel Board shall
58 determine and publish the projected annual cost to fully fund all
59 appropriated positions in compliance with the provisions of this
60 act. It shall be the responsibility of the agency head to insure

61 that no single personnel action increases this projected annual
62 cost and/or the Fiscal Year 2007 appropriation for "Personal
63 Services" when annualized, with the exception of escalated funds.
64 If, at the time the agency takes any action to change "Personal
65 Services," the State Personnel Board determines that the agency
66 has taken an action which would cause the agency to exceed this
67 projected annual cost or the Fiscal Year 2007 "Personal Services"
68 appropriated level, when annualized, then only those actions which
69 reduce the projected annual cost and/or the appropriation
70 requirement will be processed by the State Personnel Board until
71 such time as the requirements of this provision are met.

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

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

85 **SECTION 4.** It is the intention of the Legislature that the
86 State Soil and Water Conservation Commission shall maintain
87 complete accounting and personnel records related to the
88 expenditure of all funds appropriated under this act and that such
89 records shall be in the same format and level of detail as
90 maintained for Fiscal Year 2006. It is further the intention of
91 the Legislature that the agency's budget request for Fiscal Year
92 2008 shall be submitted to the Joint Legislative Budget Committee
93 in a format and level of detail comparable to the format and level

94 of detail provided during the Fiscal Year 2007 budget request
95 process.

96 **SECTION 5.** The State Soil and Water Conservation Commission
97 is hereby authorized to retain all funds generated from the sale
98 of equipment. Any funds made available from the sale of equipment
99 shall be deposited into the special fund in the State Treasury to
100 the credit of the Soil and Water Conservation Commission and shall
101 be used solely for the purpose of purchasing equipment.

102 **SECTION 6.** The State Soil and Water Conservation Commission
103 is hereby authorized to receive, budget and expend any proceeds
104 derived from the sale of bonds authorized in Section 69-27-331 et
105 seq., Mississippi Code of 1972. All expenditures shall be in
106 accordance with conditions provided in Section 69-27-331 et seq.,
107 Mississippi Code of 1972.

108 **SECTION 7.** It is the intention of the Legislature that the
109 Soil and Water Conservation Commission shall have the authority to
110 escalate its budget and expend funds from any source not to exceed
111 Seven Hundred Fifty Thousand Dollars (\$750,000.00) in accordance
112 with rules and regulations of the Department of Finance and
113 Administration in a manner consistent with the escalation of
114 federal funds.

115 **SECTION 8.** Of the funds appropriated in Section 1, it is the
116 intention of the Legislature that an amount not to exceed
117 Sixty-five Thousand Dollars (\$65,000.00) be used for the purpose
118 of funding a Beaver Control Cost Share program. The Mississippi
119 Soil and Water Conservation Commission shall promulgate rules and
120 regulations for the establishment and operation of the program on
121 a fund matching basis with the county unit of government. Funds
122 not expended or encumbered in a county may be transferred to
123 another county during the fiscal year. Only those funds
124 specifically appropriated for the Beaver Control Cost Share
125 program shall be used in any such program.

126 **SECTION 9.** It is the intention of the Legislature that
127 whenever two (2) or more bids are received by this agency for the
128 purchase of commodities or equipment, and whenever all things
129 stated in such received bids are equal with respect to price,
130 quality and service, the Mississippi Industries for the Blind
131 shall be given preference. A similar preference shall be given to
132 the Mississippi Industries for the Blind whenever purchases are
133 made without competitive bids.

134 **SECTION 10.** The money herein appropriated shall be paid by
135 the State Treasurer out of any money in the State Treasury to the
136 credit of the proper fund or funds as set forth in this act, upon
137 warrants issued by the State Fiscal Officer; and the State Fiscal
138 Officer shall issue his warrants upon requisitions signed by the
139 proper person, officer or officers, in the manner provided by law.

140 **SECTION 11.** This act shall take effect and be in force from
141 and after July 1, 2006.