

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

To: Appropriations

HOUSE BILL NO. 1567  
(As Sent to Governor)

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..... \$ 729,345.00.

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 ..... \$ 3,316,503.00.

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.. \$ 841,465.00

28	Travel and Subsistence.....	30,197.00
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.....	\$ 4,045,848.00

36 FUNDING:

37	General Funds.....	\$ 729,345.00
38	Special Funds.....	<u>3,316,503.00</u>
39	Total.....	\$ 4,045,848.00

40 AUTHORIZED POSITIONS:

41	Permanent: Full Time.....	15
42	Part Time.....	0
43	Time-Limited: Full Time.....	3
44	Part Time.....	0

45 Funds are provided herein to adjust the Variable Compensation  
46 Plan to ensure that all full-time employees receive a pay increase  
47 equal to the realignment component of the Variable Compensation  
48 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
49 with not more than one-half (1/2) to be awarded on July 1, 2006,  
50 with the remainder to be awarded on January 1, 2007.

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

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

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

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

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

94 in a format and level of detail comparable to the format and level  
95 of detail provided during the Fiscal Year 2007 budget request  
96 process.

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

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

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

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

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

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

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