

By: Representatives Read, Martinson,
Broomfield, Brown, Davis, Denny, Huddleston,
Middleton, Miles, Weathersby

To: Appropriations

HOUSE BILL NO. 1605

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI REAL ESTATE COMMISSION FOR 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 Treasury to the credit of the Real Estate License Fund, for the
8 purpose of defraying the expenses of the Mississippi Real Estate
9 Commission for the fiscal year beginning July 1, 2006, and ending
10 June 30, 2007..... \$ 1,122,916.00.

11 SECTION 2. Of the funds appropriated under the provisions of
12 Section 1, not more than the amounts set forth below shall be
13 expended for the respective major objects or purposes of
14 expenditure:

15 MAJOR OBJECTS OF EXPENDITURE:

16 Personal Services:

17	Salaries, Wages and Fringe Benefits..	\$	636,580.00
18	Travel and Subsistence.....		64,000.00
19	Contractual Services.....		346,736.00
20	Commodities.....		42,900.00
21	Capital Outlay:		
22	Other Than Equipment.....		0.00
23	Equipment.....		25,200.00
24	Subsidies, Loans and Grants.....		<u>7,500.00</u>
25	Total.....	\$	1,122,916.00

26 AUTHORIZED POSITIONS:

27 Permanent: Full Time..... 13

28	Part Time.....	0
29	Time-Limited: Full Time.....	0
30	Part Time.....	0

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

36 With the funds herein appropriated, it is the intention of
 37 the Legislature that it shall be the agency's responsibility to
 38 make certain that funds required to be appropriated for "Personal
 39 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
 40 funds appropriated for that purpose, unless programs or positions
 41 are added to the agency's Fiscal Year 2008 budget by the
 42 Mississippi Legislature. Based on data provided by the
 43 Legislative Budget Office, the State Personnel Board shall
 44 determine and publish the projected annual cost to fully fund all
 45 appropriated positions in compliance with the provisions of this
 46 act. It shall be the responsibility of the agency head to insure
 47 that no single personnel action increases this projected annual
 48 cost and/or the Fiscal Year 2007 appropriation for "Personal
 49 Services" when annualized, with the exception of escalated funds.
 50 If, at the time the agency takes any action to change "Personal
 51 Services," the State Personnel Board determines that the agency
 52 has taken an action which would cause the agency to exceed this
 53 projected annual cost or the Fiscal Year 2007 "Personal Services"
 54 appropriated level, when annualized, then only those actions which
 55 reduce the projected annual cost and/or the appropriation
 56 requirement will be processed by the State Personnel Board until
 57 such time as the requirements of this provision are met.

58 Any transfers or escalations shall be made in accordance with
 59 the terms, conditions and procedures established by law or
 60 allowable under the terms set forth within this act. The State

61 Personnel Board shall not escalate positions without written
62 approval from the Department of Finance and Administration. The
63 Department of Finance and Administration shall not provide written
64 approval to escalate any funds for salaries and/or positions
65 without proof of availability of new or additional funds above the
66 appropriated level.

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

71 **SECTION 3.** It is the intention of the Legislature that the
72 Mississippi Real Estate Commission shall maintain complete
73 accounting and personnel records related to the expenditure of all
74 funds appropriated under this act and that such records shall be
75 in the same format and level of detail as maintained for Fiscal
76 Year 2006. It is further the intention of the Legislature that
77 the agency's budget request for Fiscal Year 2008 shall be
78 submitted to the Joint Legislative Budget Committee in a format
79 and level of detail comparable to the format and level of detail
80 provided during the Fiscal Year 2007 budget request process.

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

89 **SECTION 5.** The money herein appropriated shall be paid by
90 the State Treasurer out of any money in the State Treasury to the
91 credit of the proper fund or funds as set forth in this act, upon
92 warrants issued by the State Fiscal Officer; and the State Fiscal

93 Officer shall issue his warrants upon requisitions signed by the
94 proper person, officer or officers, in the manner provided by law.

95 **SECTION 6.** This act shall take effect and be in force from
96 and after July 1, 2006.