

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

To: Appropriations

HOUSE BILL NO. 1676  
(As Sent to Governor)

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 APPRAISER LICENSING AND CERTIFICATION  
4 BOARD FOR THE FISCAL YEAR 2008.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** The following sum, or so much thereof as may be  
7 necessary, is hereby appropriated out of any money in the State  
8 Treasury to the credit of the Real Estate Appraisal License Fund,  
9 for the purpose of defraying the expenses of the Mississippi Real  
10 Estate Appraiser Licensing and Certification Board for the fiscal  
11 year beginning July 1, 2007, and ending June 30, 2008.....  
12 ..... \$ 421,987.00.

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

17 MAJOR OBJECTS OF EXPENDITURE:

18	Personal Services:		
19	Salaries, Wages and Fringe Benefits..	\$	231,423.00
20	Travel and Subsistence.....		35,000.00
21	Contractual Services.....		128,464.00
22	Commodities.....		19,300.00
23	Capital Outlay:		
24	Other Than Equipment.....		0.00
25	Equipment.....		7,800.00
26	Vehicles.....		0.00
27	Wireless Communication Devices.....		0.00
28	Subsidies, Loans and Grants.....		0.00

29                   Total..... \$                   421,987.00

30       AUTHORIZED POSITIONS:

31	Permanent:	Full Time.....	4
32		Part Time.....	0
33	Time-Limited:	Full Time.....	0
34		Part Time.....	0

35       Funds are provided herein to adjust the Variable Compensation  
36 Plan to ensure that all full-time employees receive a pay increase  
37 equal to the realignment component of the Variable Compensation  
38 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
39 is greater, to be awarded on July 1, 2007.

40       With the funds herein appropriated, it is the intention of  
41 the Legislature that it shall be the agency's responsibility to  
42 make certain that funds required to be appropriated for "Personal  
43 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
44 funds appropriated for that purpose, unless programs or positions  
45 are added to the agency's Fiscal Year 2008 budget by the  
46 Mississippi Legislature. Based on data provided by the  
47 Legislative Budget Office, the State Personnel Board shall  
48 determine and publish the projected annual cost to fully fund all  
49 appropriated positions in compliance with the provisions of this  
50 act. It shall be the responsibility of the agency head to insure  
51 that no single personnel action increases this projected annual  
52 cost and/or the Fiscal Year 2008 appropriations for "Personal  
53 Services" when annualized, with the exception of escalated funds  
54 and educational benchmarks. If, at the time the agency takes any  
55 action to change "Personal Services", the State Personnel Board  
56 determines that the agency has taken an action which would cause  
57 the agency to exceed this projected annual cost or the Fiscal Year  
58 2008 "Personal Services" appropriated level, when annualized, then  
59 only those actions which reduce the projected annual cost and/or  
60 the appropriation requirement will be processed by the State  
61 Personnel Board until such time as the requirements of this

62 provision are met. On January 1, 2008, the State Personnel Board  
63 will make adjustments to the structure side of the compliance  
64 report based on data provided by the Legislative Budget Office in  
65 order for agencies to award educational benchmarks.

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

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

79 **SECTION 3.** It is the intention of the Legislature that the  
80 Mississippi Real Estate Appraiser Licensing and Certification  
81 Board shall maintain complete accounting and personnel records  
82 related to the expenditure of all funds appropriated under this  
83 act and that such records shall be in the same format and level of  
84 detail as maintained for Fiscal Year 2007. It is further the  
85 intention of the Legislature that the agency's budget request for  
86 Fiscal Year 2009 shall be submitted to the Joint Legislative  
87 Budget Committee in a format and level of detail comparable to the  
88 format and level of detail provided during the Fiscal Year 2008  
89 budget request process.

90 **SECTION 4.** It is the intention of the Legislature that  
91 whenever two (2) or more bids are received by this agency for the  
92 purchase of commodities or equipment, and whenever all things  
93 stated in such received bids are equal with respect to price,  
94 quality and service, the Mississippi Industries for the Blind

95 shall be given preference. A similar preference shall be given to  
96 the Mississippi Industries for the Blind whenever purchases are  
97 made without competitive bids.

98       **SECTION 5.** The money herein appropriated shall be paid by  
99 the State Treasurer out of any money in the State Treasury to the  
100 credit of the proper fund or funds as set forth in this act, upon  
101 warrants issued by the State Fiscal Officer; and the State Fiscal  
102 Officer shall issue his warrants upon requisitions signed by the  
103 proper person, officer or officers, in the manner provided by law.

104       **SECTION 6.** This act shall take effect and be in force from  
105 and after July 1, 2007.