

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

To: Appropriations

HOUSE BILL NO. 1677

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 2008.

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, 2007, and ending  
10 June 30, 2008..... \$ 1,355,324.00.

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.. \$ 796,025.00  
18 Travel and Subsistence..... 70,000.00  
19 Contractual Services..... 404,199.00  
20 Commodities..... 49,900.00

21 Capital Outlay:

22 Other Than Equipment..... 0.00  
23 Equipment..... 27,700.00  
24 Vehicles..... 0.00  
25 Wireless Communication Devices..... 0.00  
26 Subsidies, Loans and Grants..... 7,500.00  
27 Total..... \$ 1,355,324.00

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time.....	15
30		Part Time.....	0
31	Time-Limited:	Full Time.....	0
32		Part Time.....	0

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

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

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

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

73 **SECTION 3.** It is the intention of the Legislature that the  
74 Mississippi Real Estate Commission shall maintain complete  
75 accounting and personnel records related to the expenditure of all  
76 funds appropriated under this act and that such records shall be  
77 in the same format and level of detail as maintained for Fiscal  
78 Year 2007. It is further the intention of the Legislature that  
79 the agency's budget request for Fiscal Year 2009 shall be  
80 submitted to the Joint Legislative Budget Committee in a format  
81 and level of detail comparable to the format and level of detail  
82 provided during the Fiscal Year 2008 budget request process.

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

91 **SECTION 5.** The money herein appropriated shall be paid by  
92 the State Treasurer out of any money in the State Treasury to the

93 credit of the proper fund or funds as set forth in this act, upon  
94 warrants issued by the State Fiscal Officer; and the State Fiscal  
95 Officer shall issue his warrants upon requisitions signed by the  
96 proper person, officer or officers, in the manner provided by law.

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