

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

To: Appropriations

HOUSE BILL NO. 1700
(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 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 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, 2007, and ending
12 June 30, 2008..... \$ 831,233.00.

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, 2007, and ending June 30, 2008.....
20 \$ 3,521,237.00.

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.. \$ 948,134.00

28	Travel and Subsistence.....	35,750.00
29	Contractual Services.....	907,641.00
30	Commodities.....	65,945.00
31	Capital Outlay:	
32	Other Than Equipment.....	0.00
33	Equipment.....	0.00
34	Vehicles.....	45,000.00
35	Wireless Communication Devices.....	0.00
36	Subsidies, Loans and Grants.....	<u>2,350,000.00</u>
37	Total..... \$	4,352,470.00
38	FUNDING:	
39	General Funds..... \$	831,233.00
40	Special Funds.....	<u>3,521,237.00</u>
41	Total..... \$	4,352,470.00

42 AUTHORIZED POSITIONS:

43	Permanent: Full Time.....	15
44	Part Time.....	0
45	Time-Limited: Full Time.....	3
46	Part Time.....	0

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

52 With the funds herein appropriated, it is the intention of
53 the Legislature that it shall be the agency's responsibility to
54 make certain that funds required to be appropriated for "Personal
55 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
56 funds appropriated for that purpose, unless programs or positions
57 are added to the agency's Fiscal Year 2008 budget by the
58 Mississippi Legislature. Based on data provided by the
59 Legislative Budget Office, the State Personnel Board shall
60 determine and publish the projected annual cost to fully fund all

61 appropriated positions in compliance with the provisions of this
62 act. It shall be the responsibility of the agency head to insure
63 that no single personnel action increases this projected annual
64 cost and/or the Fiscal Year 2008 appropriations for "Personal
65 Services" when annualized, with the exception of escalated funds
66 and educational benchmarks. If, at the time the agency takes any
67 action to change "Personal Services", the State Personnel Board
68 determines that the agency has taken an action which would cause
69 the agency to exceed this projected annual cost or the Fiscal Year
70 2008 "Personal Services" appropriated level, when annualized, then
71 only those actions which reduce the projected annual cost and/or
72 the appropriation requirement will be processed by the State
73 Personnel Board until such time as the requirements of this
74 provision are met. On January 1, 2008, the State Personnel Board
75 will make adjustments to the structure side of the compliance
76 report based on data provided by the Legislative Budget Office in
77 order for agencies to award educational benchmarks.

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

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

91 **SECTION 4.** It is the intention of the Legislature that the
92 State Soil and Water Conservation Commission shall maintain
93 complete accounting and personnel records related to the

94 expenditure of all funds appropriated under this act and that such
95 records shall be in the same format and level of detail as
96 maintained for Fiscal Year 2007. It is further the intention of
97 the Legislature that the agency's budget request for Fiscal Year
98 2009 shall be submitted to the Joint Legislative Budget Committee
99 in a format and level of detail comparable to the format and level
100 of detail provided during the Fiscal Year 2008 budget request
101 process.

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

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

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

121 **SECTION 8.** Of the funds appropriated in Section 1, it is the
122 intention of the Legislature that an amount not to exceed
123 Sixty-five Thousand Dollars (\$65,000.00) be used for the purpose
124 of funding a Beaver Control Cost Share program. The Mississippi
125 Soil and Water Conservation Commission shall promulgate rules and
126 regulations for the establishment and operation of the program on

127 a fund matching basis with the county unit of government. Funds
128 not expended or encumbered in a county may be transferred to
129 another county during the fiscal year. Only those funds
130 specifically appropriated for the Beaver Control Cost Share
131 program shall be used in any such program.

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

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

146 **SECTION 11.** This act shall take effect and be in force from
147 and after July 1, 2007.