

**Senate Amendments to House Bill No. 1700**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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..... \$           774,385.00.

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 ..... \$           3,365,776.00.

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.. \$           860,268.00

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	Vehicles.....		22,500.00
35	Wireless Communication Devices.....		0.00
36	Subsidies, Loans and Grants.....		<u>2,303,610.00</u>
37	Total.....	\$	4,140,161.00

38	FUNDING:		
39	General Funds.....	\$	774,385.00
40	Special Funds.....		<u>3,365,776.00</u>
41	Total.....	\$	4,140,161.00

42 AUTHORIZED POSITIONS:

43	Permanent:	Full Time.....	14
44		Part Time.....	0
45	Time-Limited:	Full Time.....	2
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 Dollars (\$1,000.00), or Three Percent (3%)  
51 whichever 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 2009 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 appropriation for "Personal  
65 Services" when annualized, with the exception of escalated funds.

66 If, at the time the agency takes any action to change "Personal  
67 Services," the State Personnel Board determines that the agency  
68 has taken an action which would cause the agency to exceed this  
69 projected annual cost or the Fiscal Year 2008 "Personal Services"  
70 appropriated level, when annualized, then only those actions which  
71 reduce the projected annual cost and/or the appropriation  
72 requirement will be processed by the State Personnel Board until  
73 such time as the requirements of this provision are met.

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

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

87 The agency shall not take any action to promote or otherwise  
88 award salary increases through reallocation, reclassification,  
89 realignment, education benchmark, career ladder, or any other  
90 means to increase salaries of employees or positions unless  
91 specifically exempted by the following conditions: the award of  
92 teacher pay increases, the advancement of a trainee/cadet to the  
93 next level of a bona fide career ladder, the award of an  
94 educational benchmark for the attainment of Certified Public  
95 Accountant License or higher level professional certification as  
96 determined by the State Personnel Board, the immediate replacement  
97 of a departing employee with an individual from within state  
98 service or a new hire at a salary level equivalent to that of the  
99 departing employee, and the emergency appointment of nurses,  
100 pharmacists or other health care professionals at a salary to be

101 determined by the State Personnel Board, unless otherwise  
102 authorized in this act.

103       **SECTION 4.** It is the intention of the Legislature that the  
104 State Soil and Water Conservation Commission shall maintain  
105 complete accounting and personnel records related to the  
106 expenditure of all funds appropriated under this act and that such  
107 records shall be in the same format and level of detail as  
108 maintained for Fiscal Year 2007. It is further the intention of  
109 the Legislature that the agency's budget request for Fiscal Year  
110 2009 shall be submitted to the Joint Legislative Budget Committee  
111 in a format and level of detail comparable to the format and level  
112 of detail provided during the Fiscal Year 2008 budget request  
113 process.

114       **SECTION 5.** The State Soil and Water Conservation Commission  
115 is hereby authorized to retain all funds generated from the sale  
116 of equipment. Any funds made available from the sale of equipment  
117 shall be deposited into the special fund in the State Treasury to  
118 the credit of the Soil and Water Conservation Commission and shall  
119 be used solely for the purpose of purchasing equipment.

120       **SECTION 6.** The State Soil and Water Conservation Commission  
121 is hereby authorized to receive, budget and expend any proceeds  
122 derived from the sale of bonds authorized in Section 69-27-331 et  
123 seq., Mississippi Code of 1972. All expenditures shall be in  
124 accordance with conditions provided in Section 69-27-331 et seq.,  
125 Mississippi Code of 1972.

126       **SECTION 7.** It is the intention of the Legislature that the  
127 Soil and Water Conservation Commission shall have the authority to  
128 escalate its budget and expend funds from any source not to exceed  
129 Seven Hundred Fifty Thousand Dollars (\$750,000.00) in accordance  
130 with rules and regulations of the Department of Finance and  
131 Administration in a manner consistent with the escalation of  
132 federal funds.

133       **SECTION 8.** Of the funds appropriated in Section 1, it is the  
134 intention of the Legislature that an amount not to exceed  
135 Sixty-five Thousand Dollars (\$65,000.00) be used for the purpose

136 of funding a Beaver Control Cost Share program. The Mississippi  
137 Soil and Water Conservation Commission shall promulgate rules and  
138 regulations for the establishment and operation of the program on  
139 a fund matching basis with the county unit of government. Funds  
140 not expended or encumbered in a county may be transferred to  
141 another county during the fiscal year. Only those funds  
142 specifically appropriated for the Beaver Control Cost Share  
143 program shall be used in any such program.

144       **SECTION 9.** It is the intention of the Legislature that  
145 whenever two (2) or more bids are received by this agency for the  
146 purchase of commodities or equipment, and whenever all things  
147 stated in such received bids are equal with respect to price,  
148 quality and service, the Mississippi Industries for the Blind  
149 shall be given preference. A similar preference shall be given to  
150 the Mississippi Industries for the Blind whenever purchases are  
151 made without competitive bids.

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

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

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John O. Gilbert  
Secretary of the Senate