

By: Representatives Read, Sullivan, Barton,
Bennett, Bounds, Boyd, Busby, DeLano, Eure,
Huddleston, Ladner, Massengill, Staples,
Turner, Dixon

To: Appropriations

HOUSE BILL NO. 1654
(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 2020.

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, to the State Soil and Water
8 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, 2019, and ending June 30,
12 2020.....\$ 625,766.00.

13 **SECTION 2.** The following sum, or so much thereof as may be
14 necessary, is appropriated out of any money in the special fund in
15 the State Treasury to the credit of the State Soil and Water
16 Conservation Commission which is comprised of special source funds
17 collected by or otherwise available to the commission, for the



18 purpose of defraying the expenses of the commission for the fiscal
19 year beginning July 1, 2019, and ending June 30, 2020.....
20\$ 5,776,367.00.

21 **SECTION 3.** Of the funds appropriated under the provisions of
22 this act, the following positions are authorized:

23 AUTHORIZED POSITIONS:

| | | | |
|----|---------------|----------------|----|
| 24 | Permanent: | Full Time..... | 11 |
| 25 | | Part Time..... | 0 |
| 26 | Time-Limited: | Full Time..... | 4 |
| 27 | | Part Time..... | 0 |

28 With the funds herein appropriated, it shall be the agency's
29 responsibility to make certain that funds required to be
30 appropriated for "Personal Services" for Fiscal Year 2021 do not
31 exceed Fiscal Year 2020 funds appropriated for that purpose,
32 unless programs or positions are added to the agency's Fiscal Year
33 2020 budget by the Mississippi Legislature. Based on data
34 provided by the Legislative Budget Office, the State Personnel
35 Board shall determine and publish the projected annual cost to
36 fully fund all appropriated positions in compliance with the
37 provisions of this act. It shall be the responsibility of the
38 agency head to ensure that no single personnel action increases
39 this projected annual cost and/or the Fiscal Year 2020
40 appropriations for "Personal Services" when annualized, with the
41 exception of escalated funds and the award of benchmarks. If, at
42 the time the agency takes any action to change "Personal



43 Services," the State Personnel Board determines that the agency
44 has taken an action which would cause the agency to exceed this
45 projected annual cost or the Fiscal Year 2020 "Personal Services"
46 appropriated level, when annualized, then only those actions which
47 reduce the projected annual cost and/or the appropriation
48 requirement will be processed by the State Personnel Board until
49 such time as the requirements of this provision are met.

50 Funds are provided herein for all full-time employees to
51 receive up to a Three Percent (3%) pay increase to the realignment
52 component of the Variable Compensation Plan, excluding head of
53 agencies, board members and commission members.

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

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



67 None of the funds herein appropriated shall be used in
68 violation of Internal Revenue Service's Publication 15-A relating
69 to the reporting of income paid to contract employees, as
70 interpreted by the Office of the State Auditor.

71 **SECTION 4.** It is the intention of the Legislature that the
72 State Soil and Water Conservation Commission shall maintain
73 complete accounting and personnel records related to the
74 expenditure of all funds appropriated under this act and that such
75 records shall be in the same format and level of detail as
76 maintained for Fiscal Year 2019. It is further the intention of
77 the Legislature that the agency's budget request for Fiscal Year
78 2021 shall be submitted to the Joint Legislative Budget Committee
79 in a format and level of detail comparable to the format and level
80 of detail provided during the Fiscal Year 2020 budget request
81 process.

82 **SECTION 5.** The State Soil and Water Conservation Commission
83 is authorized to retain all funds generated from the sale of
84 equipment. Any funds made available from the sale of equipment
85 shall be deposited into the special fund in the State Treasury to
86 the credit of the Soil and Water Conservation Commission and shall
87 be used solely for the purpose of purchasing equipment.

88 **SECTION 6.** The State Soil and Water Conservation Commission
89 is authorized to receive, budget and expend any proceeds derived
90 from the sale of bonds authorized in Section 69-27-331 et seq.,
91 Mississippi Code of 1972. All expenditures shall be in accordance



92 with conditions provided in Section 69-27-331 et seq., Mississippi
93 Code of 1972.

94 **SECTION 7.** Of the funds appropriated in Section 1, it is the
95 intention of the Legislature that an amount not to exceed
96 Sixty-five Thousand Dollars (\$65,000.00) be used for the purpose
97 of funding a Beaver Control Cost Share program. The Mississippi
98 Soil and Water Conservation Commission shall promulgate rules and
99 regulations for the establishment and operation of the program on
100 a fund matching basis with the county unit of government. Funds
101 not expended or encumbered in a county may be transferred to
102 another county during the fiscal year. Only those funds
103 specifically appropriated for the Beaver Control Cost Share
104 program shall be used in any such program.

105 **SECTION 8.** It is the intention of the Legislature that
106 whenever two (2) or more bids are received by this agency for the
107 purchase of commodities or equipment, and whenever all things
108 stated in such received bids are equal with respect to price,
109 quality and service, the Mississippi Industries for the Blind
110 shall be given preference. A similar preference shall be given to
111 the Mississippi Industries for the Blind whenever purchases are
112 made without competitive bids.

113 **SECTION 9.** It is the intention of the Legislature that the
114 funds herein appropriated shall be expended in compliance with
115 Section 27-104-25, Mississippi Code of 1972, that no state agency
116 shall incur obligations or indebtedness in excess of their



117 appropriation and that the responsible officers, either personally
118 or upon their official bonds, shall be held responsible for
119 actions contrary to this provision.

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

126 **SECTION 11.** This act shall take effect and be in force from
127 and after July 1, 2019.

