

By: Representatives Read, Pigott, Arnold,
Bounds, Boyd, Huddleston, Mangold, Hale,
Stamps

To: Appropriations

HOUSE BILL NO. 1617
(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 2023.

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, 2022, and ending
12 June 30, 2023.....\$ 584,679.00.

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, 2022, and ending June 30, 2023.....
20\$ 25,061,219.00.

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

23 AUTHORIZED HEADCOUNT:

24 Permanent: 9

25 Time-Limited: 6

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required for Personal
28 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
29 appropriated for that purpose unless programs or positions are
30 added to the agency's Fiscal Year 2023 budget by the Mississippi
31 Legislature. The Legislature shall determine the agency's
32 personal services appropriation, which shall be published by the
33 State Personnel Board. Additionally, the State Personnel Board
34 shall determine and publish the projected annualized payroll costs
35 based on current employees. It shall be the responsibility of the
36 agency head to ensure that actual personnel expenditures for
37 Fiscal Year 2023 do not exceed the data provided by the
38 Legislative Budget Office. If the agency's Fiscal Year 2023
39 projected cost exceeds the annualized costs, no salary actions
40 shall be processed by the State Personnel Board with the exception
41 of new hires that are determined to be essential for the agency.



42 Any transfers or escalations shall be made in accordance with
43 the terms, conditions and procedures established by law or
44 allowable under the terms set forth within this act. The State
45 Personnel Board shall not escalate positions without written
46 approval from the Department of Finance and Administration. The
47 Department of Finance and Administration shall not provide written
48 approval to escalate any funds for salaries and/or positions
49 without proof of availability of new or additional funds above the
50 appropriated level.

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54 act and which are withdrawn and no longer available.

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

59 Funds have been appropriated herein for the purpose of
60 funding Project SEC2 minimum salaries for all employees covered
61 under the Colonel Guy Groff/Neville Kenning Variable Compensation
62 Plan. It shall be the agency's responsibility to ensure that the
63 funds are used to increase all employees' salaries up to the
64 minimum level as determined by the State Personnel Board.

65 **SECTION 4.** It is the intention of the Legislature that the
66 State Soil and Water Conservation Commission shall maintain



67 complete accounting and personnel records related to the
68 expenditure of all funds appropriated under this act and that such
69 records shall be in the same format and level of detail as
70 maintained for Fiscal Year 2022. It is further the intention of
71 the Legislature that the agency's budget request for Fiscal Year
72 2024 shall be submitted to the Joint Legislative Budget Committee
73 in a format and level of detail comparable to the format and level
74 of detail provided during the Fiscal Year 2023 budget request
75 process.

76 **SECTION 5.** The State Soil and Water Conservation Commission
77 is authorized to retain all funds generated from the sale of
78 equipment. Any funds made available from the sale of equipment
79 shall be deposited into the special fund in the State Treasury to
80 the credit of the Soil and Water Conservation Commission and shall
81 be used solely for the purpose of purchasing equipment.

82 **SECTION 6.** The State Soil and Water Conservation Commission
83 is authorized to receive, budget and expend any proceeds derived
84 from the sale of bonds authorized in Section 69-27-331 et seq.,
85 Mississippi Code of 1972. All expenditures shall be in accordance
86 with conditions provided in Section 69-27-331 et seq., Mississippi
87 Code of 1972.

88 **SECTION 7.** It is the intention of the Legislature that
89 whenever two (2) or more bids are received by this agency for the
90 purchase of commodities or equipment, and whenever all things
91 stated in such received bids are equal with respect to price,



92 quality and service, the Mississippi Industries for the Blind
93 shall be given preference. A similar preference shall be given to
94 the Mississippi Industries for the Blind whenever purchases are
95 made without competitive bids.

96 **SECTION 8.** It is the intention of the Legislature that the
97 funds herein appropriated shall be expended in compliance with
98 Section 27-104-25, Mississippi Code of 1972, that no state agency
99 shall incur obligations or indebtedness in excess of their
100 appropriation and that the responsible officers, either personally
101 or upon their official bonds, shall be held responsible for
102 actions contrary to this provision.

103 **SECTION 9.** The money herein appropriated shall be paid by
104 the State Treasurer out of any money in the State Treasury to the
105 credit of the proper fund or funds as set forth in this act, upon
106 warrants issued by the State Fiscal Officer; and the State Fiscal
107 Officer shall issue his warrants upon requisitions signed by the
108 proper person, officer or officers, in the manner provided by law.

109 **SECTION 10.** This act shall take effect and be in force from
110 and after July 1, 2022.

