

By: Representatives Read, Pigott, Arnold,
Bounds, Boyd, Huddleston, Mangold, Scoggin

To: Appropriations

HOUSE BILL NO. 1629
(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 2024.

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, 2023, and ending June 30,
12 2024.....\$ 595,511.00.

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, 2023, and ending June 30, 2024.....
20\$ 24,819,687.00.

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 2025 do not exceed Fiscal Year 2024 funds
29 appropriated for that purpose unless programs or positions are
30 added to the agency's Fiscal Year 2024 budget by the Mississippi
31 Legislature. The Legislature shall determine the agency's
32 personal services appropriation, which the State Personnel Board
33 shall publish. The agency's personal services appropriation may
34 consist of restricted funds for approved vacancies for Fiscal Year
35 2024 that may not be utilized for active Fiscal Year 2023
36 Headcount. It shall be the agency's responsibility to ensure that
37 the funds provided for vacancies are used to increase headcount
38 and not for promotions, title changes, in-range salary adjustments
39 or any other mechanism for increasing salaries for current
40 employees. It is the Legislature's intention that no employee
41 salary falls below the minimum salary established by the
42 Mississippi State Personnel Board.



43 Additionally, the State Personnel Board shall determine and
44 publish the projected annualized payroll costs based on current
45 employees. It shall be the responsibility of the agency head to
46 ensure that actual personnel expenditures for Fiscal Year 2024 do
47 not exceed the data provided by the Legislative Budget Office. If
48 the agency's Fiscal Year 2024 projected cost exceeds the
49 annualized costs, no salary actions shall be processed by the
50 State Personnel Board except for new hires determined to be
51 essential for the agency.

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

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

65 None of the funds herein appropriated shall be used in
66 violation of the Internal Revenue Service's Publication 15-A



67 relating to the reporting of income paid to contract employees, as
68 interpreted by the Office of the State Auditor.

69 **SECTION 4.** It is the intention of the Legislature that the
70 State Soil and Water Conservation Commission shall maintain
71 complete accounting and personnel records related to the
72 expenditure of all funds appropriated under this act and that such
73 records shall be in the same format and level of detail as
74 maintained for Fiscal Year 2023. It is further the intention of
75 the Legislature that the agency's budget request for Fiscal Year
76 2025 shall be submitted to the Joint Legislative Budget Committee
77 in a format and level of detail comparable to the format and level
78 of detail provided during the Fiscal Year 2024 budget request
79 process.

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

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



92 **SECTION 7.** Of the funds appropriated under the provisions of
93 Section 2, Forty-seven Thousand One Hundred Seventy-seven Dollars
94 (\$47,177.00), or so much thereof as may be necessary, shall be
95 derived out of any money in the State Treasury to the credit of
96 the Capital Expense Fund, as created in Section 27-103-303,
97 Mississippi Code of 1972, and allocated in a manner as determined
98 by the State Treasurer. These funds are provided for a Siphon
99 System for the maintenance of draining watershed lakes across the
100 State of Mississippi.

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

109 **SECTION 9.** It is the intention of the Legislature that the
110 funds herein appropriated shall be expended in compliance with
111 Section 27-104-25, Mississippi Code of 1972, that no state agency
112 shall incur obligations or indebtedness in excess of their
113 appropriation and that the responsible officers, either personally
114 or upon their official bonds, shall be held responsible for
115 actions contrary to this provision.



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

122 **SECTION 11.** This act shall take effect and be in force from
123 and after July 1, 2023.

