

By: Representatives Bounds, Read, Anderson  
(122nd), Clark, Eure, Hale, Jackson (11th),  
Paden, Pigott

To: Appropriations B;  
Appropriations A

HOUSE BILL NO. 1789

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 2025.

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, 2024, and ending  
12 June 30, 2025.....\$ 569,503.00.

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, 2024, and ending June 30, 2025.....  
20 .....\$ 24,774,057.00.

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 2026 do not exceed Fiscal Year 2025 funds  
29 appropriated for that purpose unless programs or positions are  
30 added to the agency's Fiscal Year 2025 budget by the Mississippi  
31 Legislature. The Legislature shall determine the agency's personal  
32 services appropriation, which the State Personnel Board shall  
33 publish. In accordance with applicable laws, if an agency  
34 determines that its personal services amount is insufficient, the  
35 agency must contact the State Personnel Board. Any adjustment to  
36 the personal services amount must be approved by the State  
37 Personnel Director and the State Fiscal Officer after consultation  
38 with the Legislative Budget Office. Any adjustment shall be  
39 reported to the Legislative Budget Office and the House and Senate  
40 Appropriations Chairmen. The agency's personal services  
41 appropriation may consist of restricted funds for approved  
42 vacancies for Fiscal Year 2025 that may not be utilized for active



43 Fiscal Year 2024 headcount. It shall be the agency's  
44 responsibility to ensure that the funds provided for vacancies are  
45 used to increase headcount and not for promotions, title changes,  
46 in-range salary adjustments, or any other mechanism for increasing  
47 salaries for current employees. If the State Personnel Board  
48 determines that an agency has used provided vacancy funds for any  
49 of the mechanisms previously listed, the State Personnel Board  
50 shall not process any additional salary actions for the agency in  
51 the current fiscal year, except for new hires determined by the  
52 State Personnel Board to be essential for the agency. It is the  
53 Legislature's intention that no employee salary falls below the  
54 minimum salary established by the Mississippi State Personnel  
55 Board.

56       Additionally, the State Personnel Board shall determine and  
57 publish the projected annualized payroll costs based on current  
58 employees. It shall be the responsibility of the agency head to  
59 ensure that actual personnel expenditures for Fiscal Year 2025 do  
60 not exceed the data provided by the Legislative Budget Office. If  
61 the agency's projected cost for Fiscal Year 2025 exceeds the  
62 annualized costs, no salary actions shall be processed by the  
63 State Personnel Board except for new hires determined to be  
64 essential for the agency.

65       Any transfers or escalations shall be made in accordance with  
66 the terms, conditions, and procedures established by law or  
67 allowable under the terms set forth within this act. The State



68 Personnel Board shall not escalate positions without written  
69 approval from the Department of Finance and Administration. The  
70 Department of Finance and Administration shall not provide written  
71 approval to escalate any funds for salaries and/or positions  
72 without proof of availability of new or additional funds above the  
73 appropriated level.

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

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

82 **SECTION 4.** It is the intention of the Legislature that the  
83 State Soil and Water Conservation Commission shall maintain  
84 complete accounting and personnel records related to the  
85 expenditure of all funds appropriated under this act and that such  
86 records shall be in the same format and level of detail as  
87 maintained for Fiscal Year 2024. It is further the intention of  
88 the Legislature that the agency's budget request for Fiscal Year  
89 2026 shall be submitted to the Joint Legislative Budget Committee  
90 in a format and level of detail comparable to the format and level  
91 of detail provided during the Fiscal Year 2025 budget request  
92 process.



93           **SECTION 5.** The State Soil and Water Conservation Commission  
94 is authorized to retain all funds generated from the sale of  
95 equipment. Any funds made available from the sale of equipment  
96 shall be deposited into the special fund in the State Treasury to  
97 the credit of the Soil and Water Conservation Commission and shall  
98 be used solely for the purpose of purchasing equipment.

99           **SECTION 6.** The State Soil and Water Conservation Commission  
100 is authorized to receive, budget and expend any proceeds derived  
101 from the sale of bonds authorized in Section 69-27-331 et seq.,  
102 Mississippi Code of 1972. All expenditures shall be in accordance  
103 with conditions provided in Section 69-27-331 et seq., Mississippi  
104 Code of 1972.

105           **SECTION 7.** 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 8.** 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 9.** 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 10.** This act shall take effect and be in force from  
127 and after July 1, 2024, and shall stand repealed June 30, 2024.

