

**\*\*\*Adopted\*\*\*  
AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 1629**

**By Senator(s) Committee**

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

7

8       SECTION 1. The following sum, or so much thereof as may be  
9 necessary, is hereby appropriated out of any money in the State  
10 General Fund not otherwise appropriated, for the support and  
11 maintenance of the Department of Environmental Quality for the  
12 fiscal year beginning July 1, 2000, and ending June 30, 2001.....  
13 .....\$       17,400,124.00.

14       SECTION 2. The following sum, or so much thereof as may be  
15 necessary, is hereby appropriated out of any money in any special  
16 fund in the State Treasury to the credit of the Department of  
17 Environmental Quality which is comprised of special source funds  
18 collected by or otherwise available to the department, for the  
19 support of the various offices of the department for the fiscal  
20 year beginning July 1, 2000, and ending June 30, 2001.....  
21 .....\$       93,504,161.00.

22       SECTION 3. Of the funds appropriated under the provisions of  
23 Sections 1 and 2, not more than the amounts set forth below shall  
24 be expended for the respective major objects or purposes of  
25 expenditure:

26                               ENVIRONMENTAL QUALITY - CONSOLIDATED

27   MAJOR OBJECTS OF EXPENDITURE:

28	Personal Services:		
29	Salaries, Wages and Fringe Benefits...	\$	22,793,803.00
30	Travel and Subsistence.....		935,982.00
31	Contractual Services.....		13,689,741.00
32	Commodities.....		1,316,316.00
33	Capital Outlay:		
34	Other Than Equipment.....		0.00
35	Equipment.....		1,750,071.00
36	Subsidies, Loans and Grants.....		<u>70,418,372.00</u>
37	Total.....	\$	110,904,285.00
38	FUNDING:		
39	General Funds.....	\$	17,400,124.00
40	Special Funds.....		<u>93,504,161.00</u>
41	Total.....	\$	110,904,285.00

42 AUTHORIZED POSITIONS:

43	Permanent:	Full Time.....	293
44		Part Time.....	0
45	Time-Limited:	Full Time.....	198
46		Part Time.....	0

47 The "Environmental Quality - Consolidated" budget shown above  
48 consists of budgets formerly identified as Environmental Quality -  
49 Administrative Services, Office of Geology and Energy Resources,  
50 Office of Land and Water Resources, Office of Pollution Control  
51 and State Revolving Loan Program.

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 2002 do not exceed Fiscal Year 2001  
56 funds appropriated for that purpose, unless programs or positions  
57 are added to the agency's Fiscal Year 2002 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

63that no single personnel action increases this projected annual  
64cost and/or the Fiscal Year 2001 appropriation for "Personal  
65Services" when annualized. If, at the end of any calendar month,  
66the State Personnel Board determines that the agency has taken  
67action(s) which would cause the agency to exceed this projected  
68annual cost or the Fiscal Year 2001 "Personal Services"  
69appropriated level, when annualized, then only those actions which  
70reduce the projected annual cost and/or the appropriation  
71requirement will be processed by the State Personnel Board until  
72such time as the requirements of this provision are met.

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

77 Unless expressly authorized herein by the Legislature, no  
78funds appropriated shall be expended to pay expenses incurred by  
79more than four (4) employees or other representatives of the  
80agency for attending the same conference, seminar or workshop,  
81either in-state or out-of-state; however, such funds may be  
82expended for expenses incurred by more than four (4) employees or  
83other representatives for attendance at the same conference,  
84seminar or workshop (a) if attendance is required in order to  
85maintain professional certification or licensure, which  
86certification or licensure is required by the employees' job  
87descriptions or by law, or (b) if such expenditure has received  
88the prior written approval of the Department of Finance and  
89Administration.

90 SECTION 4. It is the intent of the Legislature that the  
91Department of Environmental Quality shall have authority to  
92escalate the various budgets in both funds and positions, with the  
93approval of the State Fiscal Officer, from any special funds  
94collected or available, in the current fiscal year or any prior  
95fiscal year, not to exceed Five Million Dollars (\$5,000,000.00),  
96to the agency for expenditure. Upon such approval, the Department  
97of Environmental Quality may expend such funds in the manner

98 authorized by law.

99 The Executive Director of the Department of Environmental  
100 Quality shall submit to the Department of Finance and  
101 Administration a certified statement providing a detailed  
102 explanation for any escalation, including a justification for the  
103 establishment of any new positions or reclassification of existing  
104 positions and the existence of any required matching funds for  
105 those positions, and an assessment of the impact on the agency's  
106 general fund budget for the three (3) fiscal years following the  
107 fiscal year in which the escalation is requested.

108 SECTION 5. It shall be unlawful for any officer, employee or  
109 other person whatsoever to use or permit or authorize the use of  
110 any automobile or any other motor vehicle owned by the State of  
111 Mississippi or any department, agency or institution thereof for  
112 any purpose other than upon the official business of the State of  
113 Mississippi or any agency, department or institution thereof.

114 It is the intent of the Legislature that motor vehicles  
115 authorized to be owned and operated by this agency shall comply  
116 with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

117 SECTION 6. In compliance with the "Mississippi Performance  
118 Budget and Strategic Planning Act of 1994," it is the intent of  
119 the Legislature that the funds provided herein shall be utilized  
120 in the most efficient and effective manner possible to achieve the  
121 intended mission of this agency. Based on the funding authorized,  
122 this agency shall make every effort to attain the targeted  
123 performance measures provided below:

124		FY2001
125		
126	<u>Performance Measures</u>	<u>Target</u>
127	Pollution Control	
128	Air-compliance assurance activities (actions)	1,730
129		
130	Air-permits issued (permits)	490
131		
132	Asbestos-persons certified (persons)	1,100

133		
134	RCRA-inspections (actions)	141
135	RCRA-permit actions taken (actions)	10
136		
137	WST tires-compliance assurance (facilities)	400
138	SLD Waste-permits processed (permits)	140
139		
140	SRF Water-inspections (sites)	2,585
141		
142	SRF Water-NPDES permits issued (permits)	239
143		
144	SRF Admin-Fed/State Match Funds (%)	90
145		
146	Construction Grants	
147	Federal/State Match Funds Awarded (%)	90
148		
149	Recipient compliance with loan agreement (%)	90
150		
151	Land and Water	
152	Water levels measured (actions)	100
153		
154	Test/data collection wells (wells)	2,500
155		
156	Water withdrawal permits issued (permits)	2,000
157		
158	Driller license issued (licenses)	200
159		
160	Dams inspected (dams)	100
161		
162	Geology	
163	Leases/permits issued (items)	3
164		
165	Quadrangles mapped (sites)	9
166		
167	Test holes drilled (tests)	24

168

169 Mines inspected (mines) 1,250

170

171 A reporting of the degree to which the performance targets  
172 set above have been or are being achieved shall be provided in the  
173 agency's budget request submitted to the Joint Legislative Budget  
174 Committee for Fiscal Year 2002.

175 SECTION 7. Of the funds appropriated in Section 2 and  
176 allocated in Section 3, an amount no greater than Three Hundred  
177 Twenty Thousand Dollars (\$320,000.00) shall be derived from the  
178 Pollution Emergency Fund within the Pollution Operating Fund and  
179 shall be transferred to the Department of Finance and  
180 Administration.

181 SECTION 8. The money herein appropriated shall be paid by  
182 the State Treasurer out of any money in the State Treasury to the  
183 credit of the proper fund or funds as set forth in this act, upon  
184 warrants issued by the State Fiscal Officer; and the State Fiscal  
185 Officer shall issue his warrants upon requisitions signed by the  
186 proper person, officer or officers, in the manner provided by law.

187 SECTION 9. This act shall take effect and be in force from  
188 and after July 1, 2000.