

By: Representatives Read, Martinson,
Broomfield, Brown, Davis, Denny, Middleton,
Miles, Weathersby

To: Appropriations

HOUSE BILL NO. 1720

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION
4 BOARD FOR THE FISCAL YEAR 2005.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** The following sum, or so much thereof as may be
7 necessary, is hereby appropriated out of any money in the State
8 Treasury to the credit of the Real Estate Appraisal License Fund,
9 for the purpose of defraying the expenses of the Mississippi Real
10 Estate Appraiser Licensing and Certification Board for the fiscal
11 year beginning July 1, 2004, and ending June 30, 2005.....
12 \$ 337,836.00.

13 **SECTION 2.** Of the funds appropriated under the provisions of
14 Section 1, not more than the amounts set forth below shall be
15 expended for the respective major objects or purposes of
16 expenditure:

17 MAJOR OBJECTS OF EXPENDITURE:

18	Personal Services:		
19	Salaries, Wages and Fringe Benefits..	\$	189,624.00
20	Travel and Subsistence.....		20,000.00
21	Contractual Services.....		110,912.00
22	Commodities.....		13,800.00
23	Capital Outlay:		
24	Other Than Equipment.....		0.00
25	Equipment.....		3,500.00
26	Subsidies, Loans and Grants.....		0.00
27	Total.....	\$	337,836.00

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time.....	4
30		Part Time.....	0
31	Time-Limited:	Full Time.....	0
32		Part Time.....	0

33 With the funds herein appropriated, it is the intention of
34 the Legislature that it shall be the agency's responsibility to
35 make certain that funds required to be appropriated for "Personal
36 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
37 funds appropriated for that purpose, unless programs or positions
38 are added to the agency's Fiscal Year 2006 budget by the
39 Mississippi Legislature. Based on data provided by the
40 Legislative Budget Office, the State Personnel Board shall
41 determine and publish the projected annual cost to fully fund all
42 appropriated positions in compliance with the provisions of this
43 act. It shall be the responsibility of the agency head to insure
44 that no single personnel action increases this projected annual
45 cost and/or the Fiscal Year 2005 appropriation for "Personal
46 Services" when annualized, with the exception of escalated funds.
47 If, at the time the agency takes any action to change "Personal
48 Services," the State Personnel Board determines that the agency
49 has taken an action which would cause the agency to exceed this
50 projected annual cost or the Fiscal Year 2005 "Personal Services"
51 appropriated level, when annualized, then only those actions which
52 reduce the projected annual cost and/or the appropriation
53 requirement will be processed by the State Personnel Board until
54 such time as the requirements of this provision are met.

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

62 without proof of availability of new or additional funds above the
63 appropriated level.

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

68 **SECTION 3.** The funds authorized herein shall be used to fund
69 all operations of the agency with the following prohibitions:

70 (1) The agency shall not fill any current or future vacant
71 positions;

72 (2) The agency shall not take any action to promote or
73 otherwise award salary increases through reallocation,
74 reclassification, realignment, education benchmark, career ladder,
75 or any other means to increase salaries of employees or positions
76 except as allowed under the provisions set forth in House Bill No.
77 1279, 2004 Regular Legislative Session;

78 (3) The agency shall not expend funds for out-of-state
79 travel except as allowed under the provisions set forth in House
80 Bill No. 1279, 2004 Regular Legislative Session;

81 (4) The agency shall not expend funds for the purchase of or
82 contract for cellular phones, two-way radios or pagers, except for
83 support of employees in the Department of Public Safety and the
84 Bureau of Narcotics as recommended by Information Technology
85 Services or as allowed under the provisions set forth in House
86 Bill No. 1279, 2004 Regular Legislative Session;

87 (5) The agency shall not expend funds to publish or
88 distribute any annual reports or other publications;

89 (6) The agency shall not expend funds for public relation
90 activities regarding the functions, programs or services of the
91 agency except as allowed under the provisions set forth in House
92 Bill No. 1279, 2004 Regular Legislative Session;

93 (7) The agency shall not advertise the functions, programs
94 or services of the agency except that the Mississippi Development

95 Authority is authorized to expend funds for advertising to carry
96 out the purposes of key programs administered by the authority;

97 (8) The agency shall not expend funds for staff development
98 or training services;

99 (9) The agency shall not expend funds for the purchase of
100 new or replacement equipment or furniture, excluding lease
101 purchase payments on agreements in effect upon passage of this
102 appropriation bill, except as allowed under the provisions set
103 forth in House Bill No. 1279, 2004 Regular Legislative Session.

104 **SECTION 4.** It is the intention of the Legislature that none
105 of the funds appropriated above shall be expended unless members
106 of the Mississippi House of Representatives and Mississippi Senate
107 are notified at least five (5) days prior to a public ceremony
108 announcing the award of any grant in their district or any public
109 announcement or ceremony regarding the groundbreaking or opening
110 of a facility, roadway or bridge for which the Legislature has
111 made funds available. Any signage regarding any public event or
112 any new facility, roadway or bridge shall include the following
113 language: "Funds were made available for this project by the
114 Mississippi State Legislature."

115 **SECTION 5.** It is the intention of the Legislature that the
116 Mississippi Real Estate Appraiser Licensing and Certification
117 Board shall maintain complete accounting and personnel records
118 related to the expenditure of all funds appropriated under this
119 act and that such records shall be in the same format and level of
120 detail as maintained for Fiscal Year 2004. It is further the
121 intention of the Legislature that the agency's budget request for
122 Fiscal Year 2006 shall be submitted to the Joint Legislative
123 Budget Committee in a format and level of detail comparable to the
124 format and level of detail provided during the Fiscal Year 2005
125 budget request process.

126 **SECTION 6.** The money herein appropriated shall be paid by
127 the State Treasurer out of any money in the State Treasury to the

128 credit of the proper fund or funds as set forth in this act, upon
129 warrants issued by the State Fiscal Officer; and the State Fiscal
130 Officer shall issue his warrants upon requisitions signed by the
131 proper person, officer or officers, in the manner provided by law.

132 **SECTION 7.** This act shall take effect and be in force from
133 and after July 1, 2004.