

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

To: Appropriations

HOUSE BILL NO. 1600  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE  
3 FISCAL YEAR 2007.

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 hereby appropriated out of any money in the State  
7 Treasury to the credit of the Mississippi Auctioneers Commission  
8 for the purpose of defraying the expenses of the commission, for  
9 the fiscal year beginning July 1, 2006, and ending June 30, 2007.

10 ..... \$ 101,358.00.

11 **SECTION 2.** With the funds appropriated under the provisions  
12 of Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	1
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

18 Funds are provided herein to adjust the Variable Compensation  
19 Plan to ensure that all full-time employees receive a pay increase  
20 equal to the realignment component of the Variable Compensation  
21 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
22 with not more than one-half (1/2) to be awarded on July 1, 2006,  
23 with the remainder to be awarded on January 1, 2007.

24 With the funds herein appropriated, it is the intention of  
25 the Legislature that it shall be the agency's responsibility to  
26 make certain that funds required to be appropriated for "Personal  
27 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007

28 funds appropriated for that purpose, unless programs or positions  
29 are added to the agency's Fiscal Year 2008 budget by the  
30 Mississippi Legislature. Based on data provided by the  
31 Legislative Budget Office, the State Personnel Board shall  
32 determine and publish the projected annual cost to fully fund all  
33 appropriated positions in compliance with the provisions of this  
34 act. It shall be the responsibility of the agency head to insure  
35 that no single personnel action increases this projected annual  
36 cost and/or the Fiscal Year 2007 appropriation for "Personal  
37 Services" when annualized, with the exception of escalated funds.  
38 If, at the time the agency takes any action to change "Personal  
39 Services," the State Personnel Board determines that the agency  
40 has taken an action which would cause the agency to exceed this  
41 projected annual cost or the Fiscal Year 2007 "Personal Services"  
42 appropriated level, when annualized, then only those actions which  
43 reduce the projected annual cost and/or the appropriation  
44 requirement will be processed by the State Personnel Board until  
45 such time as the requirements of this provision are met.

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

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

59 Of the above funds, none may be expended by this act to  
60 provide for any regulatory authority over livestock auctioneers  
61 conducting sales for an individual of his own property.

62 **SECTION 3.** It is the intention of the Legislature that the  
63 Mississippi Auctioneers Commission shall maintain complete  
64 accounting and personnel records related to the expenditure of all  
65 funds appropriated under this act and that such records shall be  
66 in the same format and level of detail as maintained for Fiscal  
67 Year 2006. It is further the intention of the Legislature that  
68 the agency's budget request for Fiscal Year 2008 shall be  
69 submitted to the Joint Legislative Budget Committee in a format  
70 and level of detail comparable to the format and level of detail  
71 provided during the Fiscal Year 2007 budget request process.

72 **SECTION 4.** It is the intention of the Legislature that  
73 whenever two (2) or more bids are received by this agency for the  
74 purchase of commodities or equipment, and whenever all things  
75 stated in such received bids are equal with respect to price,  
76 quality and service, the Mississippi Industries for the Blind  
77 shall be given preference. A similar preference shall be given to  
78 the Mississippi Industries for the Blind whenever purchases are  
79 made without competitive bids.

80 **SECTION 5.** The money herein appropriated shall be paid by  
81 the State Treasurer out of any money in the State Treasury to the  
82 credit of the proper fund or funds as set forth in this act, upon  
83 warrants issued by the State Fiscal Officer; and the State Fiscal  
84 Officer shall issue his warrants upon requisitions signed by the  
85 proper person, officer or officers, in the manner provided by law.

86 **SECTION 6.** This act shall take effect and be in force from  
87 and after July 1, 2006.