

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

To: Appropriations

HOUSE BILL NO. 1604  
(As Sent to Governor)

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 2007.

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, 2006, and ending June 30, 2007.....  
12 ..... \$ 404,588.00.

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..	\$ 213,966.00
20	Travel and Subsistence.....	35,000.00
21	Contractual Services.....	128,522.00
22	Commodities.....	19,300.00
23	Capital Outlay:	
24	Other Than Equipment.....	0.00
25	Equipment.....	7,800.00
26	Subsidies, Loans and Grants.....	<u>0.00</u>
27	Total.....	\$ 404,588.00

28 AUTHORIZED POSITIONS:

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

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

39 With the funds herein appropriated, it is the intention of  
40 the Legislature that it shall be the agency's responsibility to  
41 make certain that funds required to be appropriated for "Personal  
42 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
43 funds appropriated for that purpose, unless programs or positions  
44 are added to the agency's Fiscal Year 2008 budget by the  
45 Mississippi Legislature. Based on data provided by the  
46 Legislative Budget Office, the State Personnel Board shall  
47 determine and publish the projected annual cost to fully fund all  
48 appropriated positions in compliance with the provisions of this  
49 act. It shall be the responsibility of the agency head to insure  
50 that no single personnel action increases this projected annual  
51 cost and/or the Fiscal Year 2007 appropriation for "Personal  
52 Services" when annualized, with the exception of escalated funds.  
53 If, at the time the agency takes any action to change "Personal  
54 Services," the State Personnel Board determines that the agency  
55 has taken an action which would cause the agency to exceed this  
56 projected annual cost or the Fiscal Year 2007 "Personal Services"  
57 appropriated level, when annualized, then only those actions which  
58 reduce the projected annual cost and/or the appropriation  
59 requirement will be processed by the State Personnel Board until  
60 such time as the requirements of this provision are met.

61 Any transfers or escalations shall be made in accordance with  
62 the terms, conditions and procedures established by law or  
63 allowable under the terms set forth within this act. The State  
64 Personnel Board shall not escalate positions without written  
65 approval from the Department of Finance and Administration. The  
66 Department of Finance and Administration shall not provide written  
67 approval to escalate any funds for salaries and/or positions  
68 without proof of availability of new or additional funds above the  
69 appropriated level.

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

74 **SECTION 3.** It is the intention of the Legislature that the  
75 Mississippi Real Estate Appraiser Licensing and Certification  
76 Board shall maintain complete accounting and personnel records  
77 related to the expenditure of all funds appropriated under this  
78 act and that such records shall be in the same format and level of  
79 detail as maintained for Fiscal Year 2006. It is further the  
80 intention of the Legislature that the agency's budget request for  
81 Fiscal Year 2008 shall be submitted to the Joint Legislative  
82 Budget Committee in a format and level of detail comparable to the  
83 format and level of detail provided during the Fiscal Year 2007  
84 budget request process.

85 **SECTION 4.** It is the intention of the Legislature that  
86 whenever two (2) or more bids are received by this agency for the  
87 purchase of commodities or equipment, and whenever all things  
88 stated in such received bids are equal with respect to price,  
89 quality and service, the Mississippi Industries for the Blind  
90 shall be given preference. A similar preference shall be given to  
91 the Mississippi Industries for the Blind whenever purchases are  
92 made without competitive bids.

93           **SECTION 5.** The money herein appropriated shall be paid by  
94 the State Treasurer out of any money in the State Treasury to the  
95 credit of the proper fund or funds as set forth in this act, upon  
96 warrants issued by the State Fiscal Officer; and the State Fiscal  
97 Officer shall issue his warrants upon requisitions signed by the  
98 proper person, officer or officers, in the manner provided by law.  
99           **SECTION 6.** This act shall take effect and be in force from  
100 and after July 1, 2006.