

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

To: Appropriations B;  
Appropriations A

HOUSE BILL NO. 1789  
(As Sent to Governor)

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.....\$ 588,548.00.

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 .....\$ 37,674,607.00.

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  
32 personal services appropriation, which the State Personnel Board  
33 shall publish. The agency's personal services appropriation may  
34 consist of restricted funds for approved vacancies for Fiscal Year  
35 2025 that may be utilized to fill vacant Fiscal Year 2024  
36 headcount. It shall be the agency's responsibility to ensure that  
37 the funds provided for vacancies are used to increase headcount  
38 and not for promotions, title changes, in-range salary adjustments  
39 or any other mechanism for increasing salaries for current  
40 employees. It is the Legislature's intention that no employee  
41 salary falls below the minimum salary established by the  
42 Mississippi State Personnel Board.



43           Additionally, the State Personnel Board shall determine and  
44 publish the projected annualized payroll costs based on current  
45 employees. It shall be the responsibility of the agency head to  
46 ensure that actual personnel expenditures for Fiscal Year 2025 do  
47 not exceed the data provided by the Legislative Budget Office. If  
48 the agency's Fiscal Year 2025 projected cost exceeds the  
49 annualized costs, no salary actions shall be processed by the  
50 State Personnel Board except for new hires determined to be  
51 essential for the agency.

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

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

65           None of the funds herein appropriated shall be used in  
66 violation of the Internal Revenue Service's Publication 15-A



67 relating to the reporting of income paid to contract employees, as  
68 interpreted by the Office of the State Auditor.

69         **SECTION 4.** It is the intention of the Legislature that the  
70 State Soil and Water Conservation Commission shall maintain  
71 complete accounting and personnel records related to the  
72 expenditure of all funds appropriated under this act and that such  
73 records shall be in the same format and level of detail as  
74 maintained for Fiscal Year 2024. It is further the intention of  
75 the Legislature that the agency's budget request for Fiscal Year  
76 2026 shall be submitted to the Joint Legislative Budget Committee  
77 in a format and level of detail comparable to the format and level  
78 of detail provided during the Fiscal Year 2025 budget request  
79 process.

80         **SECTION 5.** Of the funds appropriated under the provisions of  
81 Section 2, Ninety-two Thousand Dollars (\$92,000.00), or so much  
82 thereof as may be necessary, shall be derived out of any money in  
83 the State Treasury to the credit of the Capital Expense Fund, as  
84 created in Section 27-103-303, Mississippi Code of 1972, and  
85 allocated in a manner as determined by the State Treasurer.

86         These funds are provided for the purchase and installation of  
87 river gauges to measure erosion and flooding along the Pearl  
88 River.

89         **SECTION 6.** The State Soil and Water Conservation Commission  
90 is authorized to retain all funds generated from the sale of  
91 equipment. Any funds made available from the sale of equipment



92 shall be deposited into the special fund in the State Treasury to  
93 the credit of the Soil and Water Conservation Commission and shall  
94 be used solely for the purpose of purchasing equipment.

95         **SECTION 7.** The State Soil and Water Conservation Commission  
96 is authorized to receive, budget and expend any proceeds derived  
97 from the sale of bonds authorized in Section 69-27-331 et seq.,  
98 Mississippi Code of 1972. All expenditures shall be in accordance  
99 with conditions provided in Section 69-27-331 et seq., Mississippi  
100 Code of 1972.

101         **SECTION 8.** It is the intention of the Legislature that  
102 whenever two (2) or more bids are received by this agency for the  
103 purchase of commodities or equipment, and whenever all things  
104 stated in such received bids are equal with respect to price,  
105 quality and service, the Mississippi Industries for the Blind  
106 shall be given preference. A similar preference shall be given to  
107 the Mississippi Industries for the Blind whenever purchases are  
108 made without competitive bids.

109         **SECTION 9.** It is the intention of the Legislature that the  
110 funds herein appropriated shall be expended in compliance with  
111 Section 27-104-25, Mississippi Code of 1972, that no state agency  
112 shall incur obligations or indebtedness in excess of their  
113 appropriation and that the responsible officers, either personally  
114 or upon their official bonds, shall be held responsible for  
115 actions contrary to this provision.



116           **SECTION 10.** The money herein appropriated shall be paid by  
117 the State Treasurer out of any money in the State Treasury to the  
118 credit of the proper fund or funds as set forth in this act, upon  
119 warrants issued by the State Fiscal Officer; and the State Fiscal  
120 Officer shall issue his warrants upon requisitions signed by the  
121 proper person, officer or officers, in the manner provided by law.

122           **SECTION 11.** This act shall take effect and be in force from  
123 and after July 1, 2024.

