5/12/16 9:26 A.M.

Chapter No. 77
16/HR26/A497SG
AM / GV

HOUSE BILL NO. 1655

Originated in House _____ Clerk

HOUSE BILL NO. 1655

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2017.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2016, and ending June 30, 2017 ..... $ 752,043.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the

purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2016, and ending June 30, 2017..... ..... $ 2,257,436.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	11
	Part Time.....	0
Time-Limited:	Full Time.....	4
	Part Time.....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2018 do not exceed Fiscal Year 2017 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2017 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2017 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal

Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2017 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2016. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2018 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2017 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed

Sixty-five Thousand Dollars ($65,000.00) be used for the purpose of funding a Beaver Control Cost Share program. The Mississippi Soil and Water Conservation Commission shall promulgate rules and regulations for the establishment and operation of the program on a fund matching basis with the county unit of government. Funds not expended or encumbered in a county may be transferred to another county during the fiscal year. Only those funds specifically appropriated for the Beaver Control Cost Share program shall be used in any such program.

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

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

SECTION 10. Of the funds provided in Section 1, Fifty Thousand Dollars ($50,000.00) is provided for the Scenic River Development Alliance in Southwest Mississippi.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE HOUSE OF REPRESENTATIVES
April 17, 2016

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 17, 2016

Tate Reeves

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

May 12, 2016
9:26 am