

By: Representatives Frierson, Huddleston
(15th), Arnold, Brown, Cockerham, Denny,
Holland, Ladner, Monsour, Myers, Read,
Staples, Sullivan, Watson

To: Appropriations

HOUSE BILL NO. 1618

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 STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE
4 FISCAL YEAR 2017.

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 appropriated out of any money in the State Treasury
8 to the credit of the Mississippi State Board of Nursing Home
9 Administrators for the purpose of defraying the expenses of the
10 board for the fiscal year beginning July 1, 2016, and ending
11 June 30, 2017\$ 196,738.00.

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

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	2
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0



19 With the funds herein appropriated, it shall be the agency's
20 responsibility to make certain that funds required to be
21 appropriated for "Personal Services" for Fiscal Year 2018 do not
22 exceed Fiscal Year 2017 funds appropriated for that purpose,
23 unless programs or positions are added to the agency's Fiscal Year
24 2017 budget by the Mississippi Legislature. Based on data
25 provided by the Legislative Budget Office, the State Personnel
26 Board shall determine and publish the projected annual cost to
27 fully fund all appropriated positions in compliance with the
28 provisions of this act. It shall be the responsibility of the
29 agency head to ensure that no single personnel action increases
30 this projected annual cost and/or the Fiscal Year 2017
31 appropriations for "Personal Services" when annualized, with the
32 exception of escalated funds and the award of benchmarks. If, at
33 the time the agency takes any action to change "Personal
34 Services," the State Personnel Board determines that the agency
35 has taken an action which would cause the agency to exceed this
36 projected annual cost or the Fiscal Year 2017 "Personal Services"
37 appropriated level, when annualized, then only those actions which
38 reduce the projected annual cost and/or the appropriation
39 requirement will be processed by the State Personnel Board until
40 such time as the requirements of this provision are met.

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions and procedures established by law or
43 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 3. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators 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.



69 **SECTION 4.** It is the intention of the Legislature that the
70 Mississippi State Board of Nursing Home Administrators deposit all
71 revenue generated into a special fund in the State Treasury to the
72 credit of the Mississippi State Board of Nursing Home
73 Administrators and that all interest earned or deposited to the
74 fund shall remain in the fund and not be paid into the State
75 General Fund of Mississippi.

76 **SECTION 5.** It is the intention of the Legislature that
77 whenever two (2) or more bids are received by this agency for the
78 purchase of commodities or equipment, and whenever all things
79 stated in such received bids are equal with respect to price,
80 quality and service, the Mississippi Industries for the Blind
81 shall be given preference. A similar preference shall be given to
82 the Mississippi Industries for the Blind whenever purchases are
83 made without competitive bids.

84 **SECTION 6.** It is the intention of the Legislature that the
85 funds herein appropriated shall be expended in compliance with
86 Section 27-104-25, Mississippi Code of 1972, that no state agency
87 shall incur obligations or indebtedness in excess of their
88 appropriation and that the responsible officers, either personally
89 or upon their official bonds, shall be held responsible for
90 actions contrary to this provision.

91 **SECTION 7.** The money herein appropriated shall be paid by
92 the State Treasurer out of any money in the State Treasury to the
93 credit of the proper fund or funds as set forth in this act, upon



94 warrants issued by the State Fiscal Officer; and the State Fiscal
95 Officer shall issue his warrants upon requisitions signed by the
96 proper person, officer or officers, in the manner provided by law.

97 **SECTION 8.** This act shall take effect and be in force from
98 and after July 1, 2016; and shall stand repealed from and after
99 June 30, 2016.

