

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

To: Appropriations

## HOUSE BILL NO. 1631

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2017.

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 Treasury  
7 to the credit of the Oil and Gas Conservation Fund, for the  
8 purpose of defraying the expenses of the State Oil and Gas Board  
9 for the fiscal year beginning July 1, 2016, and ending  
10 June 30, 2017.....\$ 2,351,480.00.

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

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	33
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0



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

40           Any transfers or escalations shall be made in accordance with  
41 the terms, conditions and procedures established by law or  
42 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 State Oil and Gas Board 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.



67           **SECTION 4.** It is the intention of the Legislature that the  
68 State Oil and Gas Board shall have the authority to receive,  
69 budget and expend funds from any source not to exceed Two Hundred  
70 Thousand Dollars (\$200,000.00) for the Comprehensive Data  
71 Management Program in accordance with rules and regulations of the  
72 Department of Finance and Administration in a manner consistent  
73 with the escalation of federal funds.

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

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

89           **SECTION 7.** This act shall take effect and be in force from  
90 and after July 1, 2016; and shall stand repealed from and after  
91 June 30, 2016.

