

By: Representatives Read, Huddleston (15th), To: Appropriations
Arnold, Baria, Barton, Boyd, Brown,
Cockerham, Denny, Holland, Ladner, Myers,
Staples, Sullivan, Turner, Watson

HOUSE BILL NO. 1570

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF
3 REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR
4 FISCAL YEAR 2019.

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 State Board of Registration for
9 Professional Engineers and Land Surveyors, for the purpose of
10 defraying the expenses of the board for the fiscal year beginning
11 July 1, 2018, and ending June 30, 2019.....\$ 832,643.00.

12 **SECTION 2.** Of the funds approved for expenditure under the
13 provisions of Section 1, the following positions are authorized:

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	5
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 2020 do not
22 exceed Fiscal Year 2019 funds appropriated for that purpose,
23 unless programs or positions are added to the agency's Fiscal Year
24 2019 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 2019
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 2019 "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



44 Personnel Board shall not escalate positions without written
45 approval from the Department of Finance and Administration. The
46 Department of Finance and Administration shall not provide written
47 approval to escalate any funds for salaries and/or positions
48 without proof of availability of new or additional funds above the
49 appropriated level.

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53 act and which are withdrawn and no longer available.

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

58 **SECTION 3.** It is the intention of the Legislature that the
59 State Board of Registration for Professional Engineers and Land
60 Surveyors shall maintain complete accounting and personnel records
61 related to the expenditure of all funds appropriated under this
62 act and that such records shall be in the same format and level of
63 detail as maintained for Fiscal Year 2018. It is further the
64 intention of the Legislature that the agency's budget request for
65 Fiscal Year 2020 shall be submitted to the Joint Legislative
66 Budget Committee in a format and level of detail comparable to the
67 format and level of detail provided during the Fiscal Year 2019
68 budget request process.



69 **SECTION 4.** It is the intention of the Legislature that
70 whenever two (2) or more bids are received by this agency for the
71 purchase of commodities or equipment, and whenever all things
72 stated in such received bids are equal with respect to price,
73 quality and service, the Mississippi Industries for the Blind
74 shall be given preference. A similar preference shall be given to
75 the Mississippi Industries for the Blind whenever purchases are
76 made without competitive bids.

77 **SECTION 5.** It is the intention of the Legislature that the
78 funds herein appropriated shall be expended in compliance with
79 Section 27-104-25, Mississippi Code of 1972, that no state agency
80 shall incur obligations or indebtedness in excess of their
81 appropriation and that the responsible officers, either personally
82 or upon their official bonds, shall be held responsible for
83 actions contrary to this provision.

84 **SECTION 6.** The money herein appropriated shall be paid by
85 the State Treasurer out of any money in the State Treasury to the
86 credit of the proper fund or funds as set forth in this act, upon
87 warrants issued by the State Fiscal Officer; and the State Fiscal
88 Officer shall issue his warrants upon requisitions signed by the
89 proper person, officer or officers, in the manner provided by law.

90 **SECTION 7.** It is the intention of the Legislature that this
91 agency shall have the authority to expend funds from any source
92 that may become available to the agency in accordance with the
93 rules and regulations of the Department of Finance and



94 Administration in a manner consistent with the escalation of
95 federal funds for the purpose of funding any increase in health
96 insurance costs for Fiscal Year 2019, or for the purpose of
97 funding additional fees, costs or assessments received by the
98 agency from the Department of Information Technology Services or
99 the Department of Finance and Administration for Fiscal Year 2019
100 that may be incurred by the agency as a result of legislation
101 passed during the 2018 Regular Session of the Legislature and
102 approved by the Governor. The agency is authorized to escalate
103 other special funds for the limited purposes provided in this
104 section in an amount not to exceed Twenty Thousand Sixty Dollars
105 (\$20,060.00).

106 **SECTION 8.** Of the funds provided herein, Three Hundred Fifty
107 Thousand Dollars (\$350,000.00) shall be provided in grants for
108 ABET-accredited engineering programs and Board-approved surveying
109 programs of any college or university in the State of Mississippi,
110 after application to and subject to approval by the Board. The
111 Board will develop guidelines for application, award, and
112 disbursement of these grants. The Board will issue a written
113 report to the Governor, Lt. Governor, and the chairs of the House
114 and Senate Appropriations Committees as to how the grants were
115 awarded.

116 **SECTION 9.** This act shall take effect and be in force from
117 and after July 1, 2018.

