

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

HOUSE BILL NO. 1571

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 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 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, 2018, and ending  
11 June 30, 2019 .....\$ 203,765.00.

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 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 Mississippi State Board of Nursing Home Administrators shall  
60 maintain complete accounting and personnel records related to the  
61 expenditure of all funds appropriated under this act and that such  
62 records shall be in the same format and level of detail as  
63 maintained for Fiscal Year 2018. It is further the intention of  
64 the Legislature that the agency's budget request for Fiscal Year  
65 2020 shall be submitted to the Joint Legislative Budget Committee  
66 in a format and level of detail comparable to the format and level  
67 of detail provided during the Fiscal Year 2019 budget request  
68 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.** It is the intention of the Legislature that this  
98 agency shall have the authority to expend funds from any source  
99 that may become available to the agency in accordance with the  
100 rules and regulations of the Department of Finance and  
101 Administration in a manner consistent with the escalation of  
102 federal funds for the purpose of funding any increase in health  
103 insurance costs for Fiscal Year 2019, or for the purpose of  
104 funding additional fees, costs or assessments received by the  
105 agency from the Department of Information Technology Services or  
106 the Department of Finance and Administration for Fiscal Year 2019  
107 that may be incurred by the agency as a result of legislation  
108 passed during the 2018 Regular Session of the Legislature and  
109 approved by the Governor. The agency is authorized to escalate  
110 other special funds for the limited purposes provided in this  
111 section in an amount not to exceed Ten Thousand Two Hundred  
112 Seventy-seven Dollars (\$10,277.00).

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

