

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

HOUSE BILL NO. 1572

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 BOARD OF NURSING FOR THE FISCAL YEAR 2019.

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 special fund in
7 the State Treasury to the credit of the Mississippi Board of
8 Nursing, for the purpose of defraying the expenses of the board
9 for the fiscal year beginning July 1, 2018, and ending
10 June 30, 2019.....\$ 4,813,462.00.

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.....	39
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 2020 do not
21 exceed Fiscal Year 2019 funds appropriated for that purpose,
22 unless programs or positions are added to the agency's Fiscal Year
23 2019 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 2019
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 2019 "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



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

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52 act and which are withdrawn and no longer available.

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

57 **SECTION 3.** Of the funds provided for herein, One Million
58 Five Hundred Sixty Thousand Dollars (\$1,560,000.00) shall be
59 provided for the Office of Nursing Workforce (ONW). In accordance
60 with Section 73-15-18(1), Mississippi Code of 1972, the
61 Mississippi Board of Nursing is designated as the state agency
62 responsible for the administration and supervision of the Nursing
63 Workforce Program as an educational curriculum. The mission of
64 the Office Nursing Workforce is to carry out the scope of service
65 and leadership tasks required of the profession by promoting a
66 strong educational infrastructure between nursing practice and
67 nursing education.



68 **SECTION 4.** Of the funds provided under the provisions of
69 this act, an amount not to exceed One Hundred Five Thousand
70 Dollars (\$105,000.00) may be allocated to the Mississippi Board of
71 Pharmacy to defray the expenses of the Mississippi Prescription
72 Monitoring Program.

73 **SECTION 5.** It is the intention of the Legislature that the
74 Mississippi Board of Nursing shall maintain complete accounting
75 and personnel records related to the expenditure of all funds
76 appropriated under this act and that such records shall be in the
77 same format and level of detail as maintained for Fiscal Year
78 2018. It is further the intention of the Legislature that the
79 agency's budget request for Fiscal Year 2020 shall be submitted to
80 the Joint Legislative Budget Committee in a format and level of
81 detail comparable to the format and level of detail provided
82 during the Fiscal Year 2019 budget request process.

83 **SECTION 6.** It is the intention of the Legislature that
84 whenever two (2) or more bids are received by this agency for the
85 purchase of commodities or equipment, and whenever all things
86 stated in such received bids are equal with respect to price,
87 quality and service, the Mississippi Industries for the Blind
88 shall be given preference. A similar preference shall be given to
89 the Mississippi Industries for the Blind whenever purchases are
90 made without competitive bids.

91 **SECTION 7.** It is the intention of the Legislature that the
92 funds herein appropriated shall be expended in compliance with



93 Section 27-104-25, Mississippi Code of 1972, that no state agency
94 shall incur obligations or indebtedness in excess of their
95 appropriation and that the responsible officers, either personally
96 or upon their official bonds, shall be held responsible for
97 actions contrary to this provision.

98 **SECTION 8.** The money herein appropriated shall be paid by
99 the State Treasurer out of any money in the State Treasury to the
100 credit of the proper fund or funds as set forth in this act, upon
101 warrants issued by the State Fiscal Officer; and the State Fiscal
102 Officer shall issue his warrants upon requisitions signed by the
103 proper person, officer or officers, in the manner provided by law.

104 **SECTION 9.** It is the intention of the Legislature that this
105 agency shall have the authority to expend funds from any source
106 that may become available to the agency in accordance with the
107 rules and regulations of the Department of Finance and
108 Administration in a manner consistent with the escalation of
109 federal funds for the purpose of funding any increase in health
110 insurance costs for Fiscal Year 2019, or for the purpose of
111 funding additional fees, costs or assessments received by the
112 agency from the Department of Information Technology Services or
113 the Department of Finance and Administration for Fiscal Year 2019
114 that may be incurred by the agency as a result of legislation
115 passed during the 2018 Regular Session of the Legislature and
116 approved by the Governor. The agency is authorized to escalate
117 other special funds for the limited purposes provided in this



118 section in an amount not to exceed Sixty-nine Thousand One Hundred
119 Forty-six Dollars (\$69,146.00).

120 **SECTION 10.** This act shall take effect and be in force from
121 and after July 1, 2018.

