

By: Representatives Read, Huddleston, Arnold, Baria, Barton, Boyd, Brown, Cockerham, Denny, Hines, Holland, Ladner, Myers, Staples, Sullivan, Turner, Watson, Willis, Sykes, Faulkner

To: Appropriations

HOUSE BILL NO. 1629

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 2020.

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, 2019, and ending  
10 June 30, 2020.....\$ 5,007,198.00.

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.....	40
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 2021 do not  
21 exceed Fiscal Year 2020 funds appropriated for that purpose,  
22 unless programs or positions are added to the agency's Fiscal Year  
23 2020 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 2020  
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 2020 "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 of Nursing Workforce is to carry out the scope of  
65 service and leadership tasks required of the profession by  
66 promoting a strong educational infrastructure between nursing  
67 practice and 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 2019. It is further the intention of the Legislature that the  
79 agency's budget request for Fiscal Year 2021 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 2020 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.** This act shall take effect and be in force from  
105 and after July 1, 2019.

