

By: Representatives Read, Cockerham, Arnold, Bennett, Clark, Eure, Hines, Holland, Horan, Myers, Turner, Willis, Sykes, Faulkner To: Appropriations

HOUSE BILL NO. 1642 (As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 PUBLIC UTILITIES STAFF 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 State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Public Utilities Staff for the fiscal year
9 beginning July 1, 2019, and ending June 30, 2020.....
10\$ 2,269,187.00.

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

13 AUTHORIZED POSITIONS:

Table with 3 columns: Position Type, Description, and Count. Rows include Permanent Full Time (28), Permanent Part Time (0), Time-Limited Full Time (0), and Time-Limited 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 Funds are provided herein for all full-time employees to
41 receive up to a Three Percent (3%) pay increase to the realignment



42 component of the Variable Compensation Plan, excluding head of
43 agencies, board members and commission members.

44 Any transfers or escalations shall be made in accordance with
45 the terms, conditions and procedures established by law or
46 allowable under the terms set forth within this act. The State
47 Personnel Board shall not escalate positions without written
48 approval from the Department of Finance and Administration. The
49 Department of Finance and Administration shall not provide written
50 approval to escalate any funds for salaries and/or positions
51 without proof of availability of new or additional funds above the
52 appropriated level.

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56 act and which are withdrawn and no longer available.

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

61 **SECTION 3.** It is the intention of the Legislature that the
62 Public Utilities Staff shall maintain complete accounting and
63 personnel records related to the expenditure of all funds
64 appropriated under this act and that such records shall be in the
65 same format and level of detail as maintained for Fiscal Year
66 2019. It is further the intention of the Legislature that the



67 agency's budget request for Fiscal Year 2021 shall be submitted to
68 the Joint Legislative Budget Committee in a format and level of
69 detail comparable to the format and level of detail provided
70 during the Fiscal Year 2020 budget request process.

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

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

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



92 **SECTION 7.** This act shall take effect and be in force from
93 and after July 1, 2019.

