

By: Representatives Read, Bounds, Bennett,
Busby, Clark, DeLano, Eure, Huddleston,
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To: Appropriations

HOUSE BILL NO. 1660
(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 STATE OIL AND GAS BOARD 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 support and maintenance
8 of the State Oil and Gas Board for the fiscal year beginning
9 July 1, 2019, and ending June 30, 2020.....
10\$ 2,158,147.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the State Oil and Gas Board
14 which is comprised of special source funds collected by or
15 otherwise available to the department, for the purpose of
16 defraying the expenses of the department for the fiscal year
17 beginning July 1, 2019, and ending June 30, 2020.....
18\$ 1,110,615.00.



19 **SECTION 3.** Of the funds appropriated under the provisions of
20 Section 1, the following positions are authorized:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time.....	33
23		Part Time.....	0
24	Time-Limited:	Full Time.....	0
25		Part Time.....	0

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required to be
28 appropriated for "Personal Services" for Fiscal Year 2021 do not
29 exceed Fiscal Year 2020 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2020 budget by the Mississippi Legislature. Based on data
32 provided by the Legislative Budget Office, the State Personnel
33 Board shall determine and publish the projected annual cost to
34 fully fund all appropriated positions in compliance with the
35 provisions of this act. It shall be the responsibility of the
36 agency head to ensure that no single personnel action increases
37 this projected annual cost and/or the Fiscal Year 2020
38 appropriations for "Personal Services" when annualized, with the
39 exception of escalated funds and the award of benchmarks. If, at
40 the time the agency takes any action to change "Personal
41 Services," the State Personnel Board determines that the agency
42 has taken an action which would cause the agency to exceed this
43 projected annual cost or the Fiscal Year 2020 "Personal Services"



44 appropriated level, when annualized, then only those actions which
45 reduce the projected annual cost and/or the appropriation
46 requirement will be processed by the State Personnel Board until
47 such time as the requirements of this provision are met.

48 Funds are provided herein for all full-time employees to
49 receive up to a Three Percent (3%) pay increase to the realignment
50 component of the Variable Compensation Plan, excluding head of
51 agencies, board members and commission members.

52 Any transfers or escalations shall be made in accordance with
53 the terms, conditions and procedures established by law or
54 allowable under the terms set forth within this act. The State
55 Personnel Board shall not escalate positions without written
56 approval from the Department of Finance and Administration. The
57 Department of Finance and Administration shall not provide written
58 approval to escalate any funds for salaries and/or positions
59 without proof of availability of new or additional funds above the
60 appropriated level.

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

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



69 **SECTION 4.** Of the funds appropriated in Section 2, the
70 following sum, or so much necessary, is hereby appropriated out of
71 any money in the State Treasury to the credit of the Capital
72 Expense Fund, and allocated in a manner as determined by the
73 Treasurer's Office, to defray the expenses for emergency repairs
74 or plugging of orphaned wells by the Oil and Gas Board for the
75 fiscal year beginning July 1, 2019, and ending June 30, 2020.....
76\$ 1,000,000.00.

77 **SECTION 5.** It is the intention of the Legislature that the
78 State Oil and Gas Board shall maintain complete accounting and
79 personnel records related to the expenditure of all funds
80 appropriated under this act and that such records shall be in the
81 same format and level of detail as maintained for Fiscal Year
82 2019. It is further the intention of the Legislature that the
83 agency's budget request for Fiscal Year 2021 shall be submitted to
84 the Joint Legislative Budget Committee in a format and level of
85 detail comparable to the format and level of detail provided
86 during the Fiscal Year 2020 budget request process.

87 **SECTION 6.** It is the intention of the Legislature that the
88 State Oil and Gas Board shall have the authority to receive,
89 budget and expend funds from any source not to exceed Two Hundred
90 Thousand Dollars (\$200,000.00) for the Comprehensive Data
91 Management Program in accordance with rules and regulations of the
92 Department of Finance and Administration in a manner consistent
93 with the escalation of federal funds.



94 **SECTION 7.** It is the intention of the Legislature that
95 whenever two (2) or more bids are received by this agency for the
96 purchase of commodities or equipment, and whenever all things
97 stated in such received bids are equal with respect to price,
98 quality and service, the Mississippi Industries for the Blind
99 shall be given preference. A similar preference shall be given to
100 the Mississippi Industries for the Blind whenever purchases are
101 made without competitive bids.

102 **SECTION 8.** It is the intention of the Legislature that the
103 funds herein appropriated shall be expended in compliance with
104 Section 27-104-25, Mississippi Code of 1972, that no state agency
105 shall incur obligations or indebtedness in excess of their
106 appropriation and that the responsible officers, either personally
107 or upon their official bonds, shall be held responsible for
108 actions contrary to this provision.

109 **SECTION 9.** This act shall take effect and be in force from
110 and after July 1, 2019.

