

By: Representatives Read, Oliver, Bounds,
Busby, Cockerham, Hale, Haney, Hines,
Huddleston, Jackson, Ladner, Turner, Watson,
Young

To: Appropriations

HOUSE BILL NO. 1588

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 2023.

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, 2022, and ending
11 June 30, 2023 \$ 190,220.00.

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 for "Personal
21 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
22 funds appropriated for that purpose unless programs or positions
23 are added to the agency's Fiscal Year 2023 budget by the
24 Mississippi Legislature. The Legislature shall determine the
25 agency's personal services appropriation, which shall be published
26 by the State Personnel Board. Additionally, the State Personnel
27 Board shall determine and publish the projected annualized payroll
28 costs based on current employees. It shall be the responsibility
29 of the agency head to ensure that actual personnel expenditures
30 for Fiscal Year 2023 do not exceed the data provided by the
31 Legislative Budget Office. If the agency's Fiscal Year 2023
32 projected cost exceeds the annualized costs, no salary actions
33 shall be processed by the State Personnel Board with the exception
34 of new hires that are determined to be essential for the agency.

35 Any transfers or escalations shall be made in accordance with
36 the terms, conditions and procedures established by law or
37 allowable under the terms set forth within this act. The State
38 Personnel Board shall not escalate positions without written
39 approval from the Department of Finance and Administration. The
40 Department of Finance and Administration shall not provide written
41 approval to escalate any funds for salaries and/or positions
42 without proof of availability of new or additional funds above the
43 appropriated level.



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47 act and which are withdrawn and no longer available.

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

52 Funds have been appropriated herein for the purpose of
53 funding Project SEC2 minimum salaries for all employees covered
54 under the Colonel Guy Groff/Neville Kenning Variable Compensation
55 Plan. It shall be the agency's responsibility to ensure that the
56 funds are used to increase all employees' salaries up to the
57 minimum level as determined by the State Personnel Board.

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 2022. It is further the intention of
64 the Legislature that the agency's budget request for Fiscal Year
65 2024 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 2023 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.** This act shall take effect and be in force from
98 and after July 1, 2022, and shall stand repealed June 30, 2022.

