

By: Representatives Read, Martinson,  
Broomfield, Brown, Davis, Denny, Huddleston,  
Middleton, Miles, Weathersby

To: Appropriations

HOUSE BILL NO. 1580  
(As Sent to Governor)

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 2007.

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 hereby appropriated out of any money in the State  
8 Treasury to the credit of the Mississippi State Board of Nursing  
9 Home Administrators for the purpose of defraying the expenses of  
10 the board for the fiscal year beginning July 1, 2006, and ending  
11 June 30, 2007 ..... \$ 139,492.00.

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.....	1
16		Part Time.....	1
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

19 Funds are provided herein to adjust the Variable Compensation  
20 Plan to ensure that all full-time employees receive a pay increase  
21 equal to the realignment component of the Variable Compensation  
22 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
23 with not more than one-half (1/2) to be awarded on July 1, 2006,  
24 with the remainder to be awarded on January 1, 2007.

25 With the funds herein appropriated, it is the intention of  
26 the Legislature that it shall be the agency's responsibility to  
27 make certain that funds required to be appropriated for "Personal  
28 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007

29 funds appropriated for that purpose, unless programs or positions  
30 are added to the agency's Fiscal Year 2008 budget by the  
31 Mississippi Legislature. Based on data provided by the  
32 Legislative Budget Office, the State Personnel Board shall  
33 determine and publish the projected annual cost to fully fund all  
34 appropriated positions in compliance with the provisions of this  
35 act. It shall be the responsibility of the agency head to insure  
36 that no single personnel action increases this projected annual  
37 cost and/or the Fiscal Year 2007 appropriation for "Personal  
38 Services" when annualized, with the exception of escalated funds.  
39 If, at the time the agency takes any action to change "Personal  
40 Services," the State Personnel Board determines that the agency  
41 has taken an action which would cause the agency to exceed this  
42 projected annual cost or the Fiscal Year 2007 "Personal Services"  
43 appropriated level, when annualized, then only those actions which  
44 reduce the projected annual cost and/or the appropriation  
45 requirement will be processed by the State Personnel Board until  
46 such time as the requirements of this provision are met.

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

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

60 **SECTION 3.** It is the intention of the Legislature that the  
61 Mississippi State Board of Nursing Home Administrators shall

62 maintain complete accounting and personnel records related to the  
63 expenditure of all funds appropriated under this act and that such  
64 records shall be in the same format and level of detail as  
65 maintained for Fiscal Year 2006. It is further the intention of  
66 the Legislature that the agency's budget request for Fiscal Year  
67 2008 shall be submitted to the Joint Legislative Budget Committee  
68 in a format and level of detail comparable to the format and level  
69 of detail provided during the Fiscal Year 2007 budget request  
70 process.

71 **SECTION 4.** It is the intention of the Legislature that the  
72 Mississippi State Board of Nursing Home Administrators deposit all  
73 revenue generated into a special fund in the State Treasury to the  
74 credit of the Mississippi State Board of Nursing Home  
75 Administrators and that all interest earned or deposited to the  
76 fund shall remain in the fund and not be paid into the State  
77 General Fund of Mississippi.

78 **SECTION 5.** It is the intention of the Legislature that  
79 whenever two (2) or more bids are received by this agency for the  
80 purchase of commodities or equipment, and whenever all things  
81 stated in such received bids are equal with respect to price,  
82 quality and service, the Mississippi Industries for the Blind  
83 shall be given preference. A similar preference shall be given to  
84 the Mississippi Industries for the Blind whenever purchases are  
85 made without competitive bids.

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, 2006.