

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

To: Appropriations

HOUSE BILL NO. 1652  
(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 2008.

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, 2007, and ending  
11 June 30, 2008 ..... \$ 153,332.00.

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 One Thousand Five Hundred Dollars (\$1,500.00), whichever  
23 is greater, to be awarded on July 1, 2007.

24 With the funds herein appropriated, it is the intention of  
25 the Legislature that it shall be the agency's responsibility to  
26 make certain that funds required to be appropriated for "Personal  
27 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
28 funds appropriated for that purpose, unless programs or positions

29 are added to the agency's Fiscal Year 2008 budget by the  
30 Mississippi Legislature. Based on data provided by the  
31 Legislative Budget Office, the State Personnel Board shall  
32 determine and publish the projected annual cost to fully fund all  
33 appropriated positions in compliance with the provisions of this  
34 act. It shall be the responsibility of the agency head to insure  
35 that no single personnel action increases this projected annual  
36 cost and/or the Fiscal Year 2008 appropriations for "Personal  
37 Services" when annualized, with the exception of escalated funds  
38 and educational benchmarks. If, at the time the agency takes any  
39 action to change "Personal Services", the State Personnel Board  
40 determines that the agency has taken an action which would cause  
41 the agency to exceed this projected annual cost or the Fiscal Year  
42 2008 "Personal Services" appropriated level, when annualized, then  
43 only those actions which reduce the projected annual cost and/or  
44 the appropriation requirement will be processed by the State  
45 Personnel Board until such time as the requirements of this  
46 provision are met. On January 1, 2008, the State Personnel Board  
47 will make adjustments to the structure side of the compliance  
48 report based on data provided by the Legislative Budget Office in  
49 order for agencies to award educational benchmarks.

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

59 No general funds authorized to be expended herein shall be  
60 used to replace federal funds and/or other special funds which are

61 being used for salaries authorized under the provisions of this  
62 act and which are withdrawn and no longer available.

63         **SECTION 3.** It is the intention of the Legislature that the  
64 Mississippi State Board of Nursing Home Administrators shall  
65 maintain complete accounting and personnel records related to the  
66 expenditure of all funds appropriated under this act and that such  
67 records shall be in the same format and level of detail as  
68 maintained for Fiscal Year 2007. It is further the intention of  
69 the Legislature that the agency's budget request for Fiscal Year  
70 2009 shall be submitted to the Joint Legislative Budget Committee  
71 in a format and level of detail comparable to the format and level  
72 of detail provided during the Fiscal Year 2008 budget request  
73 process.

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

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

89         **SECTION 6.** The money herein appropriated shall be paid by  
90 the State Treasurer out of any money in the State Treasury to the  
91 credit of the proper fund or funds as set forth in this act, upon  
92 warrants issued by the State Fiscal Officer; and the State Fiscal

93 Officer shall issue his warrants upon requisitions signed by the  
94 proper person, officer or officers, in the manner provided by law.

95         **SECTION 7.** This act shall take effect and be in force from  
96 and after July 1, 2007.