

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

To: Appropriations

HOUSE BILL NO. 1724

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 PHYSICAL THERAPY FOR THE FISCAL YEAR
4 2005.

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 Physical
9 Therapy, for the purpose of defraying the expenses of the
10 Mississippi State Board of Physical Therapy for the fiscal year
11 beginning July 1, 2004, and ending June 30, 2005.....
12 \$ 195,015.00.

13 **SECTION 2.** With the funds approved for expenditure under
14 Section 1, the following positions are authorized:

15 AUTHORIZED POSITIONS:

16	Permanent:	Full Time.....	2
17		Part Time.....	1
18	Time-Limited:	Full Time.....	0
19		Part Time.....	0

20 With the funds herein appropriated, it is the intention of
21 the Legislature that it shall be the agency's responsibility to
22 make certain that funds required to be appropriated for "Personal
23 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
24 funds appropriated for that purpose, unless programs or positions
25 are added to the agency's Fiscal Year 2006 budget by the
26 Mississippi Legislature. Based on data provided by the
27 Legislative Budget Office, the State Personnel Board shall
28 determine and publish the projected annual cost to fully fund all

29 appropriated positions in compliance with the provisions of this
30 act. It shall be the responsibility of the agency head to insure
31 that no single personnel action increases this projected annual
32 cost and/or the Fiscal Year 2005 appropriation for "Personal
33 Services" when annualized, with the exception of escalated funds.
34 If, at the time the agency takes any action to change "Personal
35 Services," the State Personnel Board determines that the agency
36 has taken an action which would cause the agency to exceed this
37 projected annual cost or the Fiscal Year 2005 "Personal Services"
38 appropriated level, when annualized, then only those actions which
39 reduce the projected annual cost and/or the appropriation
40 requirement will be processed by the State Personnel Board until
41 such time as the requirements of this provision are met.

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

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

55 **SECTION 3.** The funds authorized herein shall be used to fund
56 all operations of the agency with the following prohibitions:

57 (1) The agency shall not fill any current or future vacant
58 positions;

59 (2) The agency shall not take any action to promote or
60 otherwise award salary increases through reallocation,
61 reclassification, realignment, education benchmark, career ladder,

62 or any other means to increase salaries of employees or positions
63 except as allowed under the provisions set forth in House Bill No.
64 1279, 2004 Regular Legislative Session;

65 (3) The agency shall not expend funds for out-of-state
66 travel except as allowed under the provisions set forth in House
67 Bill No. 1279, 2004 Regular Legislative Session;

68 (4) The agency shall not expend funds for the purchase of or
69 contract for cellular phones, two-way radios or pagers, except for
70 support of employees in the Department of Public Safety and the
71 Bureau of Narcotics as recommended by Information Technology
72 Services or as allowed under the provisions set forth in House
73 Bill No. 1279, 2004 Regular Legislative Session;

74 (5) The agency shall not expend funds to publish or
75 distribute any annual reports or other publications;

76 (6) The agency shall not expend funds for public relation
77 activities regarding the functions, programs or services of the
78 agency except as allowed under the provisions set forth in House
79 Bill No. 1279, 2004 Regular Legislative Session;

80 (7) The agency shall not advertise the functions, programs
81 or services of the agency except that the Mississippi Development
82 Authority is authorized to expend funds for advertising to carry
83 out the purposes of key programs administered by the authority;

84 (8) The agency shall not expend funds for staff development
85 or training services;

86 (9) The agency shall not expend funds for the purchase of
87 new or replacement equipment or furniture, excluding lease
88 purchase payments on agreements in effect upon passage of this
89 appropriation bill, except as allowed under the provisions set
90 forth in House Bill No. 1279, 2004 Regular Legislative Session.

91 **SECTION 4.** It is the intention of the Legislature that none
92 of the funds appropriated above shall be expended unless members
93 of the Mississippi House of Representatives and Mississippi Senate
94 are notified at least five (5) days prior to a public ceremony

95 announcing the award of any grant in their district or any public
96 announcement or ceremony regarding the groundbreaking or opening
97 of a facility, roadway or bridge for which the Legislature has
98 made funds available. Any signage regarding any public event or
99 any new facility, roadway or bridge shall include the following
100 language: "Funds were made available for this project by the
101 Mississippi State Legislature."

102 **SECTION 5.** It is the intention of the Legislature that the
103 Mississippi State Board of Physical Therapy shall maintain
104 complete accounting and personnel records related to the
105 expenditure of all funds appropriated under this act and that such
106 records shall be in the same format and level of detail as
107 maintained for Fiscal Year 2004. It is further the intention of
108 the Legislature that the agency's budget request for Fiscal Year
109 2006 shall be submitted to the Joint Legislative Budget Committee
110 in a format and level of detail comparable to the format and level
111 of detail provided during the Fiscal Year 2005 budget request
112 process.

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

119 **SECTION 7.** This act shall take effect and be in force from
120 and after July 1, 2004.