

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.