

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

To: Appropriations

HOUSE BILL NO. 86

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 2006.

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, 2005, and ending June 30, 2006.....  
12 ..... \$ 195,700.00.

13 **SECTION 2.** With the funds appropriated under the provisions  
14 of 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 2007 do not exceed Fiscal Year 2006  
24 funds appropriated for that purpose, unless programs or positions  
25 are added to the agency's Fiscal Year 2007 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 2006 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 2006 "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 The agency shall not take any action to promote or otherwise  
56 award salary increases through reallocation, reclassification,  
57 realignment, education benchmark, career ladder, or any other  
58 means to increase salaries of employees or positions unless  
59 specifically exempted by the following conditions: the award of  
60 teacher pay increases, the advancement of a trainee/cadet to the  
61 next level of a bona fide career ladder, the award of an

62 educational benchmark for the attainment of Certified Public  
63 Accountant License or higher level professional certification as  
64 determined by the State Personnel Board, the immediate replacement  
65 of a departing employee with an individual from within state  
66 service or a new hire at a salary level equivalent to that of the  
67 departing employee, and the emergency appointment of nurses,  
68 pharmacists or other health care professionals at a salary to be  
69 determined by the State Personnel Board, unless otherwise  
70 authorized in this act.

71       **SECTION 3.** It is the intention of the Legislature that the  
72 Mississippi State Board of Physical Therapy shall maintain  
73 complete accounting and personnel records related to the  
74 expenditure of all funds appropriated under this act and that such  
75 records shall be in the same format and level of detail as  
76 maintained for Fiscal Year 2005. It is further the intention of  
77 the Legislature that the agency's budget request for Fiscal Year  
78 2007 shall be submitted to the Joint Legislative Budget Committee  
79 in a format and level of detail comparable to the format and level  
80 of detail provided during the Fiscal Year 2006 budget request  
81 process.

82       **SECTION 4.** The money herein appropriated shall be paid by  
83 the State Treasurer out of any money in the State Treasury to the  
84 credit of the proper fund or funds as set forth in this act, upon  
85 warrants issued by the State Fiscal Officer; and the State Fiscal  
86 Officer shall issue his warrants upon requisitions signed by the  
87 proper person, officer or officers, in the manner provided by law.

88       **SECTION 5.** This act shall take effect and be in force from  
89 and after July 1, 2005.