

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

To: Appropriations

HOUSE BILL NO. 1653

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 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 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, 2007, and ending June 30, 2008.....
12 \$ 249,398.00.

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.....	3
17		Part Time.....	0
18	Time-Limited:	Full Time.....	0
19		Part Time.....	0

20 Funds are provided herein to adjust the Variable Compensation
21 Plan to ensure that all full-time employees receive a pay increase
22 equal to the realignment component of the Variable Compensation
23 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
24 is greater.

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 2009 do not exceed Fiscal Year 2008

29 funds appropriated for that purpose, unless programs or positions
30 are added to the agency's Fiscal Year 2009 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 2008 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 2008 "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 Physical Therapy shall maintain

62 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 2007. It is further the intention of
66 the Legislature that the agency's budget request for Fiscal Year
67 2009 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 2008 budget request
70 process.

71 **SECTION 4.** It is the intention of the Legislature that
72 whenever two (2) or more bids are received by this agency for the
73 purchase of commodities or equipment, and whenever all things
74 stated in such received bids are equal with respect to price,
75 quality and service, the Mississippi Industries for the Blind
76 shall be given preference. A similar preference shall be given to
77 the Mississippi Industries for the Blind whenever purchases are
78 made without competitive bids.

79 **SECTION 5.** The money herein appropriated shall be paid by
80 the State Treasurer out of any money in the State Treasury to the
81 credit of the proper fund or funds as set forth in this act, upon
82 warrants issued by the State Fiscal Officer; and the State Fiscal
83 Officer shall issue his warrants upon requisitions signed by the
84 proper person, officer or officers, in the manner provided by law.

85 **SECTION 6.** This act shall take effect and be in force from
86 and after July 1, 2007.