

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

To: Appropriations

HOUSE BILL NO. 1653  
(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 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 ..... \$ 250,248.00.

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, to be awarded on July 1, 2007.

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 2008 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 appropriations for "Personal  
38 Services" when annualized, with the exception of escalated funds  
39 and educational benchmarks. If, at the time the agency takes any  
40 action to change "Personal Services," the State Personnel Board  
41 determines that the agency has taken an action which would cause  
42 the agency to exceed this projected annual cost or the Fiscal Year  
43 2008 "Personal Services" appropriated level, when annualized, then  
44 only those actions which reduce the projected annual cost and/or  
45 the appropriation requirement will be processed by the State  
46 Personnel Board until such time as the requirements of this  
47 provision are met. On January 1, 2008, the State Personnel Board  
48 will make adjustments to the structure side of the compliance  
49 report based on data provided by the Legislative Budget Office in  
50 order for agencies to award educational benchmarks.

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

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

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63 act and which are withdrawn and no longer available.

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

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

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

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