

**Senate Amendments to House Bill No. 1653**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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 ..... \$                   249,667.00.

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 Dollars (\$1,000.00), or Three Percent (3%)  
24 whichever 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 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 The agency shall not take any action to promote or otherwise  
61 award salary increases through reallocation, reclassification,  
62 realignment, education benchmark, career ladder, or any other  
63 means to increase salaries of employees or positions unless  
64 specifically exempted by the following conditions: the award of  
65 teacher pay increases, the advancement of a trainee/cadet to the  
66 next level of a bona fide career ladder, the award of an

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

76         **SECTION 3.** It is the intention of the Legislature that the  
77 Mississippi State Board of Physical Therapy shall maintain  
78 complete accounting and personnel records related to the  
79 expenditure of all funds appropriated under this act and that such  
80 records shall be in the same format and level of detail as  
81 maintained for Fiscal Year 2007. It is further the intention of  
82 the Legislature that the agency's budget request for Fiscal Year  
83 2009 shall be submitted to the Joint Legislative Budget Committee  
84 in a format and level of detail comparable to the format and level  
85 of detail provided during the Fiscal Year 2008 budget request  
86 process.

87         **SECTION 4.** It is the intention of the Legislature that  
88 whenever two (2) or more bids are received by this agency for the  
89 purchase of commodities or equipment, and whenever all things  
90 stated in such received bids are equal with respect to price,  
91 quality and service, the Mississippi Industries for the Blind  
92 shall be given preference. A similar preference shall be given to  
93 the Mississippi Industries for the Blind whenever purchases are  
94 made without competitive bids.

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

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

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John O. Gilbert  
Secretary of the Senate