

Senate Amendments to House Bill No. 1687

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 appropriated out of any money in the State Treasury
8 to the credit of the Mississippi State Board of Physical Therapy,
9 for the purpose of defraying the expenses of the Mississippi State
10 Board of Physical Therapy for the fiscal year beginning
11 July 1, 2020, and ending June 30, 2021.....\$ 288,145.00.

12 **SECTION 2.** With the funds appropriated under the provisions
13 of Section 1, the following positions are authorized:

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	3
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

19 With the funds herein appropriated, it shall be the agency's
20 responsibility to make certain that funds required to be
21 appropriated for "Personal Services" for Fiscal Year 2022 do not
22 exceed Fiscal Year 2021 funds appropriated for that purpose,

23 unless programs or positions are added to the agency's Fiscal Year
24 2021 budget by the Mississippi Legislature. Based on data
25 provided by the Legislative Budget Office, the State Personnel
26 Board shall determine and publish the projected annual cost to
27 fully fund all appropriated positions in compliance with the
28 provisions of this act. It shall be the responsibility of the
29 agency head to ensure that no single personnel action increases
30 this projected annual cost and/or the Fiscal Year 2021
31 appropriations for "Personal Services" when annualized, with the
32 exception of escalated funds and the award of benchmarks. If, at
33 the time the agency takes any action to change "Personal
34 Services," the State Personnel Board determines that the agency
35 has taken an action which would cause the agency to exceed this
36 projected annual cost or the Fiscal Year 2021 "Personal Services"
37 appropriated level, when annualized, then only those actions which
38 reduce the projected annual cost and/or the appropriation
39 requirement will be processed by the State Personnel Board until
40 such time as the requirements of this provision are met.

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions and procedures established by law or
43 allowable under the terms set forth within this act. The State
44 Personnel Board shall not escalate positions without written
45 approval from the Department of Finance and Administration. The
46 Department of Finance and Administration shall not provide written
47 approval to escalate any funds for salaries and/or positions

48 without proof of availability of new or additional funds above the
49 appropriated level.

50 No general funds authorized to be expended herein shall be
51 used to replace federal funds and/or other special funds which are
52 being used for salaries authorized under the provisions of this
53 act and which are withdrawn and no longer available.

54 None of the funds herein appropriated shall be used in
55 violation of Internal Revenue Service's Publication 15-A relating
56 to the reporting of income paid to contract employees, as
57 interpreted by the Office of the State Auditor.

58 **SECTION 3.** It is the intention of the Legislature that the
59 Mississippi State Board of Physical Therapy shall maintain
60 complete accounting and personnel records related to the
61 expenditure of all funds appropriated under this act and that such
62 records shall be in the same format and level of detail as
63 maintained for Fiscal Year 2020. It is further the intention of
64 the Legislature that the agency's budget request for Fiscal Year
65 2022 shall be submitted to the Joint Legislative Budget Committee
66 in a format and level of detail comparable to the format and level
67 of detail provided during the Fiscal Year 2021 budget request
68 process.

69 **SECTION 4.** It is the intention of the Legislature that
70 whenever two (2) or more bids are received by this agency for the
71 purchase of commodities or equipment, and whenever all things
72 stated in such received bids are equal with respect to price,
73 quality and service, the Mississippi Industries for the Blind

74 shall be given preference. A similar preference shall be given to
75 the Mississippi Industries for the Blind whenever purchases are
76 made without competitive bids.

77 **SECTION 5.** It is the intention of the Legislature that the
78 funds herein appropriated shall be expended in compliance with
79 Section 27-104-25, Mississippi Code of 1972, that no state agency
80 shall incur obligations or indebtedness in excess of their
81 appropriation and that the responsible officers, either personally
82 or upon their official bonds, shall be held responsible for
83 actions contrary to this provision.

84 **SECTION 6.** The money herein appropriated shall be paid by
85 the State Treasurer out of any money in the State Treasury to the
86 credit of the proper fund or funds as set forth in this act, upon
87 warrants issued by the State Fiscal Officer; and the State Fiscal
88 Officer shall issue his warrants upon requisitions signed by the
89 proper person, officer or officers, in the manner provided by law.

90 **SECTION 7.** This act shall take effect and be in force from
91 and after July 1, 2020, and shall stand repealed June 30, 2020.

SS05\HB1687A.J

Eugene S. Clarke
Secretary of the Senate