

## REPORT OF CONFERENCE COMMITTEE

**MADAM PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3135: Appropriation; Personnel Bd.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

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

4       **SECTION 1.** The following sum, or so much thereof as may be  
5 necessary, is hereby appropriated out of any money in the State  
6 Treasury to the credit of the State Personnel Board for the  
7 support and maintenance of the State Personnel Board for the  
8 fiscal year beginning July 1, 2007, and ending June 30, 2008.....  
9 ..... \$       5,455,152.00.

10       **SECTION 2.** Of the funds appropriated under the provisions of  
11 Section 1, not more than the amounts set forth below shall be  
12 expended for the respective major objects or purposes of  
13 expenditure:

14       MAJOR OBJECTS OF EXPENDITURE:

15       Personal Services:

Salaries, Wages and Fringe Benefits..	\$       3,710,678.00
Travel and Subsistence.....	32,000.00
Contractual Services.....	1,537,424.00
Commodities.....	133,800.00
Capital Outlay:	
Other Than Equipment.....	0.00
Equipment.....	41,250.00
Vehicles.....	0.00
Wireless Communication Devices.....	0.00
Subsidies, Loans and Grants.....	0.00

26 Total..... \$ 5,455,152.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	63
29		Part Time.....	2
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

32 Funds are provided herein to adjust the Variable Compensation  
33 Plan to ensure that all full-time employees receive a pay increase  
34 equal to the realignment component of the Variable Compensation  
35 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
36 is greater, to be awarded on July 1, 2007.

37 With the funds herein appropriated, it is the intention of  
38 the Legislature that it shall be the agency's responsibility to  
39 make certain that funds required to be appropriated for "Personal  
40 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
41 funds appropriated for that purpose, unless programs or positions  
42 are added to the agency's Fiscal Year 2008 budget by the  
43 Mississippi Legislature. Based on data provided by the  
44 Legislative Budget Office, the State Personnel Board shall  
45 determine and publish the projected annual cost to fully fund all  
46 appropriated positions in compliance with the provisions of this  
47 act. It shall be the responsibility of the agency head to insure  
48 that no single personnel action increases this projected annual  
49 cost and/or the Fiscal Year 2008 appropriations for "Personal  
50 Services" when annualized, with the exception of escalated funds  
51 and educational benchmarks. If, at the time the agency takes any  
52 action to change "Personal Services", the State Personnel Board  
53 determines that the agency has taken an action which would cause  
54 the agency to exceed this projected annual cost or the Fiscal Year  
55 2008 "Personal Services" appropriated level, when annualized, then  
56 only those actions which reduce the projected annual cost and/or  
57 the appropriation requirement will be processed by the State

58 Personnel Board until such time as the requirements of this  
59 provision are met. On January 1, 2008, the State Personnel Board  
60 will make adjustments to the structure side of the compliance  
61 report based on data provided by the Legislative Budget Office in  
62 order for agencies to award educational benchmarks.

63 Any transfers or escalations shall be made in accordance with  
64 the terms, conditions and procedures established by law or  
65 allowable under the terms set forth within this act. The State  
66 Personnel Board shall not escalate positions without written  
67 approval from the Department of Finance and Administration. The  
68 Department of Finance and Administration shall not provide written  
69 approval to escalate any funds for salaries and/or positions  
70 without proof of availability of new or additional funds above the  
71 appropriated level.

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

76 **SECTION 3.** The following sum, or so much thereof as may be  
77 necessary, is hereby appropriated out of any money in the State  
78 Treasury to the credit of the State Personnel Board Training Fund  
79 account, for the purpose of defraying the expenses of the State  
80 Personnel Board Training Seminars for the fiscal year beginning  
81 July 1, 2007, and ending June 30, 2008.....\$ 382,454.00.

82 It is the intention of the Legislature that the State  
83 Personnel Board Training Fund shall have the authority, should  
84 additional funds become available, to escalate and expend those  
85 funds in accordance with the rules and regulations of the  
86 Department of Finance and Administration, in a manner consistent  
87 with the escalation of federal funds.

88 The funds authorized under the provisions of this section  
 89 shall be held separate and apart from all other funds in the State  
 90 Treasury to the credit of the State Personnel Board.

91 **SECTION 4.** Of the funds appropriated under the provisions of  
 92 Section 3, not more than the amounts set forth below shall be  
 93 expended for the respective major objects or purposes of  
 94 expenditure:

95 MAJOR OBJECTS OF EXPENDITURE:

96 Personal Services:

97	Salaries, Wages and Fringe Benefits.. \$	0.00
98	Travel and Subsistence.....	12,000.00
99	Contractual Services.....	317,661.00
100	Commodities.....	46,793.00
101	Capital Outlay:	
102	Other Than Equipment.....	0.00
103	Equipment.....	6,000.00
104	Vehicles.....	0.00
105	Wireless Communication Devices.....	0.00
106	Subsidies, Loans and Grants.....	<u>0.00</u>
107	Total..... \$	382,454.00

108 **SECTION 5.** It is the intention of the Legislature that the  
 109 State Personnel Board shall have the authority to escalate and  
 110 expend funds received from state agencies for reimbursement of  
 111 costs associated with the hiring of court reporters used in the  
 112 Employee Appeals Process. Such funds shall be received and  
 113 expended under the rules and regulations of the Department of  
 114 Finance and Administration in a manner consistent with the  
 115 escalation of federal funds.

116 **SECTION 6.** It is the intention of the Legislature that the  
 117 State Personnel Board shall maintain complete accounting and  
 118 personnel records related to the expenditure of all funds  
 119 appropriated under this act and that such records shall be in the

120 same format and level of detail as maintained for Fiscal Year  
121 2007. It is further the intention of the Legislature that the  
122 agency's budget request for Fiscal Year 2009 shall be submitted to  
123 the Joint Legislative Budget Committee in a format and level of  
124 detail comparable to the format and level of detail provided  
125 during the Fiscal Year 2008 budget request process.

126       **SECTION 7.** It is the intention of the Legislature that  
127 whenever two (2) or more bids are received by this agency for the  
128 purchase of commodities or equipment, and whenever all things  
129 stated in such received bids are equal with respect to price,  
130 quality and service, the Mississippi Industries for the Blind  
131 shall be given preference. A similar preference shall be given to  
132 the Mississippi Industries for the Blind whenever purchases are  
133 made without competitive bids.

134       **SECTION 8.** The money herein appropriated shall be paid by  
135 the State Treasurer out of any money in the State Treasury to the  
136 credit of the proper fund or funds as set forth in this act, upon  
137 warrants issued by the State Fiscal Officer, and the State Fiscal  
138 Officer shall issue his warrants upon requisitions signed by the  
139 proper person, officer or officers in the manner provided by law.

140       **SECTION 9.** This act shall take effect and be in force from  
141 and after July 1, 2007.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAID THE  
2 EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2008.

CONFEREES FOR THE SENATE

X (SIGNED)  
Gordon

X (SIGNED)  
Kirby

X (SIGNED)  
Lee (35th)

CONFEREES FOR THE HOUSE

X (SIGNED)  
Stringer

X (SIGNED)  
Flaggs

X (SIGNED)  
Brown