

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. 3159: Appropriation; Pharmacy 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:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 Treasury to the credit of the Mississippi State Board of Pharmacy,
8 for the purpose of defraying the expenses incurred by said board
9 for the fiscal year beginning July 1, 2007, and ending
10 June 30, 2008..... \$ 1,847,868.00.

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

15 **MAJOR OBJECTS OF EXPENDITURE:**

16 Personal Services:	
17 Salaries, Wages and Fringe Benefits..	\$ 1,277,152.00
18 Travel and Subsistence.....	85,000.00
19 Contractual Services.....	261,592.00
20 Commodities.....	107,764.00
21 Capital Outlay:	
22 Other Than Equipment.....	10,000.00
23 Equipment.....	88,860.00
24 Vehicles.....	17,500.00
25 Wireless Communication Devices.....	0.00
26 Subsidies, Loans and Grants.....	0.00

27 Total..... \$ 1,847,868.00

28 AUTHORIZED POSITIONS:

29 Permanent: Full Time..... 12
30 Part Time..... 2
31 Time-Limited: Full Time..... 0
32 Part Time..... 0

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

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

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

64 The agency shall not take any action to promote or otherwise
65 award salary increases through reallocation, reclassification,
66 realignment, education benchmark, career ladder, or any other
67 means to increase salaries of employees or positions unless
68 specifically exempted by the following conditions: the award of
69 teacher pay increases, the advancement of a trainee/cadet to the
70 next level of a bona fide career ladder, the award of an
71 educational benchmark for the attainment of Certified Public
72 Accountant License or higher level professional certification as
73 determined by the State Personnel Board, the immediate replacement
74 of a departing employee with an individual from within state
75 service or a new hire at a salary level equivalent to that of the
76 departing employee, and the emergency appointment of nurses,
77 pharmacists or other health care professionals at a salary to be
78 determined by the State Personnel Board, unless otherwise
79 authorized in this act.

80 Any transfers or escalations shall be made in accordance with
81 the terms, conditions and procedures established by law or
82 allowable under the terms set forth within this act. The State
83 Personnel Board shall not escalate positions without written
84 approval from the Department of Finance and Administration. The
85 Department of Finance and Administration shall not provide written
86 approval to escalate any funds for salaries and/or positions
87 without proof of availability of new or additional funds above the
88 appropriated level.

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

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

93 **SECTION 3.** It is the intention of the Legislature that
94 whenever two (2) or more bids are received by this agency for the
95 purchase of commodities or equipment, and whenever all things
96 stated in such received bids are equal with respect to price,
97 quality and service, the Mississippi Industries for the Blind
98 shall be given preference. A similar preference shall be given to
99 the Mississippi Industries for the Blind whenever purchases are
100 made without competitive bids.

101 **SECTION 4.** The money herein appropriated shall be paid by
102 the State Treasurer out of any money in the State Treasury to the
103 credit of the proper fund or funds as set forth in this act, upon
104 warrants issued by the State Fiscal Officer; and the State Fiscal
105 Officer shall issue his warrants upon requisitions signed by the
106 proper person, officer or officers in the manner provided by law.

107 **SECTION 5.** This act shall take effect and be in force from
108 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 DEFRAY THE
2 EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL
3 YEAR 2008.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X (SIGNED)
Gordon

X (SIGNED)
Stringer

X (SIGNED)
Gollott

X (SIGNED)
Read

X (SIGNED)
Thames

X (SIGNED)
Huddleston