

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

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

H. B. No. 1700: Appropriation; Tombigbee River Valley Water Management District.

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

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate 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 authorized and approved for expenditure out
7 of any funds which are received by or otherwise become available
8 to the Tombigbee River Valley Water Management District, for the
9 purpose of paying bond maturities, accrued interest, maintenance
10 expenses, project development costs, and any other authorized
11 expenses of the water management district, for the fiscal year
12 beginning July 1, 2004, and ending June 30, 2005

.....	\$	3,301,060.00.
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14 **SECTION 2.** Of the funds appropriated under the provisions of
15 Section 1, not more than the amounts set forth below shall be
16 expended for the respective major objects or purposes of
17 expenditure:

18 **MAJOR OBJECTS OF EXPENDITURE:**

19 Personal Services:

Salaries, Wages and Fringe Benefits ..	\$	749,910.00
Travel and Subsistence.....		46,000.00
Contractual Services		400,000.00
Commodities.....		167,000.00

24 Capital Outlay:

Other Than Equipment		1,428,000.00
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26	Equipment	470,150.00
27	Subsidies, Loans and Grants.....	<u>40,000.00</u>
28	Total..... \$	3,301,060.00

29 AUTHORIZED POSITIONS:

30	Permanent: Full Time	18
31	Part Time	0
32	Time-Limited: Full Time	0
33	Part Time	0

34 With the funds herein appropriated, it is the intention of
35 the Legislature that it shall be the agency's responsibility to
36 make certain that funds required to be appropriated for "Personal
37 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
38 funds appropriated for that purpose, unless programs or positions
39 are added to the agency's Fiscal Year 2006 budget by the
40 Mississippi Legislature. Based on data provided by the
41 Legislative Budget Office, the State Personnel Board shall
42 determine and publish the projected annual cost to fully fund all
43 appropriated positions in compliance with the provisions of this
44 act. It shall be the responsibility of the agency head to insure
45 that no single personnel action increases this projected annual
46 cost and/or the Fiscal Year 2005 appropriation for "Personal
47 Services" when annualized, with the exception of escalated funds.
48 If, at the time the agency takes any action to change "Personal
49 Services," the State Personnel Board determines that the agency
50 has taken an action which would cause the agency to exceed this
51 projected annual cost or the Fiscal Year 2005 "Personal Services"
52 appropriated level, when annualized, then only those actions which
53 reduce the projected annual cost and/or the appropriation
54 requirement will be processed by the State Personnel Board until
55 such time as the requirements of this provision are met.

56 Any transfers or escalations shall be made in accordance with
57 the terms, conditions and procedures established by law or

58 allowable under the terms set forth within this act. The State
59 Personnel Board shall not escalate positions without written
60 approval from the Department of Finance and Administration. The
61 Department of Finance and Administration shall not provide written
62 approval to escalate any funds for salaries and/or positions
63 without proof of availability of new or additional funds above the
64 appropriated level.

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

69 **SECTION 3.** It is the intention of the Legislature that the
70 Tombigbee River Valley Water Management District shall maintain
71 complete accounting and personnel records related to the
72 expenditure of all funds appropriated under this act and that such
73 records shall be in the same format and level of detail as
74 maintained for Fiscal Year 2004. It is further the intention of
75 the Legislature that the agency's budget request for Fiscal Year
76 2006 shall be submitted to the Joint Legislative Budget Committee
77 in a format and level of detail comparable to the format and level
78 of detail provided during the Fiscal Year 2005 budget request
79 process.

80 **SECTION 4.** It is the intention of the Legislature that the
81 agency shall provide a report reflecting Fiscal Year 2004 usage of
82 wireless communication devices which shall include cellular
83 phones, two-way radios, pagers, or any other means of wireless
84 communications to the Chairman of the House Appropriations
85 Committee, the Chairman of the Senate Appropriations Committee,
86 and the State Auditor by September 1, 2004. The report shall
87 contain, but not be limited to, the following:

88 (1) The number of wireless communication devices provided to
89 employees by the agency;

90 (2) The annual cost of usage of wireless communication
91 devices by each employee of the agency who is issued a wireless
92 communication device;

93 (3) Separate justification of the usage of wireless
94 communication devices by those employees issued wireless
95 communication devices; and

96 (4) To determine whether quantifiable benefits are
97 associated with the utilization of wireless communications and
98 whether such service provides more efficient or effective service
99 delivery.

100 **SECTION 5.** All monies in possession of the district in
101 excess of necessary operating funds shall be deposited with a bank
102 or banks selected by the board of directors of the district.
103 These funds shall be deposited in such bank or banks and in such
104 manner that interest earned shall be at least equal to interest
105 earnings on state funds deposited by the State Treasury.

106 **SECTION 6.** The money herein approved for expenditure shall
107 be disbursed upon bank checks signed by the proper person, officer
108 or officers, in the manner provided by law.

109 **SECTION 7.** This act shall take effect and be in force from
110 and after July 1, 2004.

CONFEREES FOR THE HOUSE

X (SIGNED)
Johnny W. Stringer

X (SIGNED)
John Read

X (SIGNED)
William Miles

CONFEREES FOR THE SENATE

X (SIGNED)
Jack Gordon

X (SIGNED)
Travis L. Little

X (SIGNED)
Tommy A. Gollott