

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. 1722: Appropriation; Veterans Memorial Stadium Commission.

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 appropriated out of any money in the State
7 Treasury to the credit of the Mississippi Veterans Memorial
8 Stadium Fund, for the purpose of defraying the expenses of the
9 Mississippi Veterans Memorial Stadium Commission for the fiscal
10 year beginning July 1, 2004, and ending June 30, 2005
11 \$ 1,338,768.00.

12 In addition to the funds appropriated herein, the Mississippi
13 Veterans Memorial Stadium Commission is hereby authorized to
14 disburse to participating institutions, agencies or departments
15 their shares or divisions of gate receipts.

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

20 MAJOR OBJECTS OF EXPENDITURE:

21 Personal Services:

22 Salaries, Wages and Fringe Benefits .. \$	339,968.00
23 Travel and Subsistence.....	4,000.00
24 Contractual Services	600,000.00
25 Commodities.....	350,000.00

26	Capital Outlay:	
27	Other Than Equipment	0.00
28	Equipment	41,800.00
29	Subsidies, Loans and Grants.....	<u>3,000.00</u>
30	Total.....	\$ 1,338,768.00
31	FUNDING:	
32	General Funds	\$ 0.00
33	Special Funds	<u>1,338,768.00</u>
34	Total.....	\$ 1,338,768.00
35	AUTHORIZED POSITIONS:	
36	Permanent: Full Time	9
37	Part Time	0
38	Time-Limited: Full Time	0
39	Part Time	0

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

58 appropriated level, when annualized, then only those actions which
59 reduce the projected annual cost and/or the appropriation
60 requirement will be processed by the State Personnel Board until
61 such time as the requirements of this provision are met.

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

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

75 **SECTION 3.** It is the intention of the Legislature that the
76 Mississippi Veterans Memorial Stadium Commission shall maintain
77 complete accounting and personnel records related to the
78 expenditure of all funds appropriated under this act and that such
79 records shall be in the same format and level of detail as
80 maintained for Fiscal Year 2004. It is further the intention of
81 the Legislature that the agency's budget request for Fiscal Year
82 2006 shall be submitted to the Joint Legislative Budget Committee
83 in a format and level of detail comparable to the format and level
84 of detail provided during the Fiscal Year 2005 budget request
85 process.

86 **SECTION 4.** It is the intention of the Legislature that the
87 agency shall provide a report reflecting Fiscal Year 2004 usage of
88 wireless communication devices which shall include cellular
89 phones, two-way radios, pagers, or any other means of wireless

communications to the Chairman of the House Appropriations Committee, the Chairman of the Senate Appropriations Committee, and the State Auditor by September 1, 2004. The report shall contain, but not be limited to, the following:

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

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

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

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

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary is appropriated out of any funds in the State Treasury to the credit of the Mississippi Veterans Memorial Stadium, for the purpose of preventing a deficit, for the fiscal year ending June 30, 2004.....\$ 75,000.00.

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

118

119 **SECTION 7.** This act shall take effect and be in force from
120 and after July 1, 2004, except for Section 5, which shall take
121 effect and be in force from and after its passage.

CONFEREES FOR THE HOUSE

X (SIGNED)
Johnny W. Stringer

X (SIGNED)
John Read

X (SIGNED)
America Chuck Middleton

CONFEREES FOR THE SENATE

X (SIGNED)
Jack Gordon

X (SIGNED)
Tommy A. Gollott

X (SIGNED)
T. O. Moffatt