

**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. 3106: Appropriation; Finance & Admin. Consol.

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 General Fund not otherwise appropriated, to defray the expenses of  
8 the Department of Finance and Administration for the fiscal year  
9 beginning July 1, 2004, and ending June 30, 2005 .....

10 .....	\$     11,236,200.00.
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11       **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the State  
13 Treasury to the credit of the Department of Finance and  
14 Administration for the purpose of defraying the expenses incurred  
15 in the operation of the various offices of the department for the  
16 fiscal year beginning July 1, 2004, and ending June 30, 2005.....

17 .....	\$     18,959,609.00.
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18       **SECTION 3.** Of the funds appropriated under the provisions of  
19 Sections 1 and 2, not more than the amounts set forth below shall  
20 be expended for the respective major objects or purposes of  
21 expenditure:

**MAJOR OBJECTS OF EXPENDITURE:**

Personal Services:

24           Salaries, Wages and Fringe Benefits .. \$	15,718,961.00
25           Travel and Subsistence.....	167,548.00
26           Contractual Services .....	11,789,379.00

27	Commodities .....	931,202.00
28	Capital Outlay:	
29	Other Than Equipment .....	0.00
30	Equipment .....	695,724.00
31	Subsidies, Loans and Grants.....	<u>892,995.00</u>
32	Total..... \$	30,195,809.00

33 FUNDING:

34	General Funds .....	\$ 11,236,200.00
35	Special Funds .....	<u>18,959,609.00</u>
36	Total..... \$	30,195,809.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time .....	337
39	Part Time .....	2
40	Time-Limited: Full Time .....	0
41	Part Time .....	0

42 Provided that a report based on expenditures incurred during  
43 the current and immediate-past fiscal years shall be provided to  
44 each regularly scheduled legislative session. This report should  
45 reflect expenditures as a result of the operation of the Robert E.  
46 Lee Building, the Woolfolk State Office Building, the Gartin and  
47 Sillers Buildings, the Capitol Buildings, the Central High School  
48 Building, the 301 Building and other state buildings, and this  
49 report should contain any steps taken to reduce operating costs.

50 It is also the intention of the Legislature that no  
51 state-owned aircraft shall be utilized by any person except for  
52 official business only.

53 **SECTION 4.** In addition to all other sums herein  
54 appropriated, the following sum, or so much thereof as may be  
55 necessary, is hereby appropriated out of any money in the special  
56 fund in the State Treasury to the credit of the Tort Claims Fund  
57 for the purpose of defraying the expenses of the Tort Claims Board

58 in the administration of the Tort Claims Act for the fiscal year  
 59 beginning July 1, 2004, and ending June 30, 2005 .....  
 60 ..... \$ 10,304,992.00.

61 Of the funds appropriated under the provisions of this  
 62 section, not more than the amounts set forth below shall be  
 63 expended for the respective major objects or purposes of  
 64 expenditure:

65 MAJOR OBJECTS OF EXPENDITURE:

66 Personal Services:

67	Salaries, Wages and Fringe Benefits .. \$	345,406.00
68	Travel and Subsistence.....	17,400.00
69	Contractual Services .....	4,022,678.00
70	Commodities.....	8,300.00
71	Capital Outlay:	
72	Other Than Equipment .....	0.00
73	Equipment .....	3,000.00
74	Subsidies, Loans and Grants.....	<u>5,908,208.00</u>
75	Total..... \$	10,304,992.00

76 FUNDING:

77	General Funds .....	\$ 0.00
78	Special Funds .....	<u>10,304,992.00</u>
79	Total..... \$	10,304,992.00

80 AUTHORIZED POSITIONS:

81	Permanent: Full Time .....	6
82	Part Time .....	0
83	Time-Limited: Full Time .....	0
84	Part Time .....	0

85 **SECTION 5.** In addition to all other sums herein  
 86 appropriated, the following sum or so much thereof as may be  
 87 necessary is hereby appropriated out of any money in the State  
 88 Treasury to the credit of the Medical Malpractice Fund for the  
 89 purpose of defraying the expenses of the Tort Claims Board in

90 administering the Medical Malpractice Insurance Availability Plan,  
 91 for the fiscal year beginning July 1, 2004, and ending June 30,  
 92 2005 ..... \$ 250,000.00.

93 Of the funds appropriated under the provisions of this  
 94 section, not more than the amounts set forth below shall be  
 95 expended for the respective major objects or purposes of  
 96 expenditure:

97 MAJOR OBJECTS OF EXPENDITURE:

98 Personal Services:

99	Salaries, Wages and Fringe Benefits .. \$	238,878.00
100	Travel and Subsistence.....	0.00
101	Contractual Services .....	11,122.00
102	Commodities.....	0.00
103	Capital Outlay:	
104	Other Than Equipment .....	0.00
105	Equipment .....	0.00
106	Subsidies, Loans and Grants.....	<u>0.00</u>
107	Total..... \$	250,000.00

108 FUNDING:

109	General Funds .....	\$ 0.00
110	Special Funds .....	<u>250,000.00</u>
111	Total..... \$	250,000.00

112 AUTHORIZED POSITIONS:

113	Permanent: Full Time .....	5
114	Part Time .....	0
115	Time-Limited: Full Time .....	0
116	Part Time .....	0

117 **SECTION 6.** With the funds herein appropriated, it is the  
 118 intention of the Legislature that it shall be the agency's  
 119 responsibility to make certain that funds required to be  
 120 appropriated for "Personal Services" for Fiscal Year 2006 do not  
 121 exceed Fiscal Year 2005 funds appropriated for that purpose,

122 unless programs or positions are added to the agency's Fiscal Year  
123 2006 budget by the Mississippi Legislature. Based on data  
124 provided by the Legislative Budget Office, the State Personnel  
125 Board shall determine and publish the projected annual cost to  
126 fully fund all appropriated positions in compliance with the  
127 provisions of this act. It shall be the responsibility of the  
128 agency head to insure that no single personnel action increases  
129 this projected annual cost and/or the Fiscal Year 2005  
130 appropriation for "Personal Services" when annualized, with the  
131 exception of escalated funds. If, at the time the agency takes  
132 any action to change "Personal Services," the State Personnel  
133 Board determines that the agency has taken an action which would  
134 cause the agency to exceed this projected annual cost or the  
135 Fiscal Year 2005 "Personal Services" appropriated level, when  
136 annualized, then only those actions which reduce the projected  
137 annual cost and/or the appropriation requirement will be processed  
138 by the State Personnel Board until such time as the requirements  
139 of this provision are met.

140 Any transfers or escalations shall be made in accordance with  
141 the terms, conditions and procedures established by law or  
142 allowable under the terms set forth within this act. The State  
143 Personnel Board shall not escalate positions without written  
144 approval from the Department of Finance and Administration. The  
145 Department of Finance and Administration shall not provide written  
146 approval to escalate any funds for salaries and/or positions  
147 without proof of availability of new or additional funds above the  
148 appropriated level.

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

153           **SECTION 7.** The Bureau of Building, Grounds and Real Property  
154 Management of the Office of General Services is hereby expressly  
155 authorized and empowered to receive, budget and expend any state,  
156 local or other source funds designated for supplemental funding of  
157 construction and/or repairs and renovation projects.

158           **SECTION 8.** Of the funds appropriated in Section 2, the  
159 following amounts are authorized to be spent out of the Local  
160 Disaster Loan Fund No. 3144 by the Department of Finance and  
161 Administration:

162                   (a) Sixty Thousand Dollars (\$60,000.00) for premium  
163 payments for flood insurance on state-owned facilities.

164                   (b) One Hundred Sixty-five Thousand Dollars  
165 (\$165,000.00) for the purpose of defraying the cost of the Office  
166 of Air Transport Services.

167           **SECTION 9.** Of the funds appropriated under the provisions of  
168 Section 2, the following amounts are authorized to be spent out of  
169 the Statewide Cost Allocation Fund No. 3143 by the Department of  
170 Finance and Administration:

171                   (a) Three Hundred Two Thousand Fifty Dollars (\$302,050.00)  
172 for the purpose of defraying computer expenses.

173                   (b) Eight Hundred Eleven Thousand Five Hundred Ninety-four  
174 Dollars (\$811,594.00) for the purpose of defraying the  
175 cost of the acquisition, development and implementation  
176 of the Statewide Automated Accounting System, which  
177 includes implementation and operation of an  
178 imaging/electronic processing system and records  
179 management.

180                   (c) One Million One Hundred Eighty-six Thousand Three  
181 Hundred Fifty-six Dollars (\$1,186,356.00) for the  
182 purpose of defraying the expenses of administration of  
183 the Statewide Cost Allocation Plan, utilities for the  
184 Capitol Complex, and Air Transport Services.

185           **SECTION 10.** It is the intention of the Legislature that the  
186 Department of Finance and Administration shall maintain complete  
187 accounting and personnel records related to the expenditure of all  
188 funds appropriated under this act and that such records shall be  
189 in the same format and level of detail as maintained for Fiscal  
190 Year 2004. It is further the intention of the Legislature that  
191 the agency's budget request for Fiscal Year 2006 shall be  
192 submitted to the Joint Legislative Budget Committee in a format  
193 and level of detail comparable to the format and level of detail  
194 provided during the Fiscal Year 2005 budget request process.

195           **SECTION 11.** It is the intention of the Legislature that the  
196 Executive Director of the Mississippi Department of Finance and  
197 Administration may authorize increases in major objects of  
198 expenditure in total amounts not to exceed twenty-five percent  
199 (25%) of the appropriated amount of each major object of  
200 expenditure, provided that other major objects of expenditure are  
201 decreased by a corresponding dollar amount. However, no transfers  
202 shall be authorized which increase the major object of expenditure  
203 "Salaries, Wages and Fringe Benefits."

204           **SECTION 12.** It is the intention of the Legislature that the  
205 Department of Finance and Administration is hereby authorized to  
206 accept, budget and expend funds, not to exceed Three Million Five  
207 Hundred Thousand Dollars (\$3,500,000.00), from any source in  
208 accordance with rules and regulations of the Department of Finance  
209 and Administration in a manner consistent with the escalation of  
210 federal funds.

211           **SECTION 13.** With the funds appropriated herein, the  
212 Department of Finance and Administration is authorized to pay an  
213 invoice dated March 2, 2004, from the USDA Forest Services in the  
214 amount of Three Thousand Dollars (\$3,000.00) for a United States  
215 government surplus vehicle received by the Department of Finance  
216 and Administration prior to Fiscal Year 2003.

217           **SECTION 14.** It is the intention of the Legislature that the  
218 Department of Finance and Administration is hereby authorized to  
219 escalate funds in an amount not to exceed Three Hundred Ninety-six  
220 Thousand Eight Hundred Twenty-one Dollars (\$396,821.00) and Six  
221 (6) Permanent Full-Time PINS, contingent upon passage of  
222 legislation that creates the Office of Administrative Services  
223 (OAS) within the Department of Finance and Administration, for the  
224 purpose of defraying the expenses of said office for the fiscal  
225 year beginning July 1, 2004, and ending June 30, 2005.

226           **SECTION 15.** It is the intention of the Legislature that the  
227 Department of Finance and Administration is hereby authorized to  
228 escalate funds in an amount not to exceed Two Hundred Sixteen  
229 Thousand Nine Hundred Dollars (\$216,900.00) and Six (6) Permanent  
230 Full-Time PINS for costs associated with additional Capitol  
231 Facilities duties contingent upon passage of House Bill 1370 of  
232 the 2004 Regular Session.

233           **SECTION 16.** The money herein appropriated shall be paid by  
234 the State Treasurer out of any money in the State Treasury to the  
235 credit of the proper fund or funds as set forth in this act, upon  
236 warrants issued by the State Fiscal Officer; and the State Fiscal  
237 Officer shall issue his warrants upon requisitions signed by the  
238 proper person, officer or officers, in the manner provided by law.

239           **SECTION 17.** This act shall take effect and be in force from  
240 and after July 1, 2004, except for Sections 12 and 13 which shall  
241 take effect and be in force from and after its passage.

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



1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEARS 2004 AND  
3 2005.

CONFEREES FOR THE SENATE

X (SIGNED)  
Jack Gordon

X (SIGNED)  
Bob M. Dearing

X (SIGNED)  
Gary Jackson

CONFEREES FOR THE HOUSE

X (SIGNED)  
Johnny W. Stringer

X (SIGNED)  
George Flaggs, Jr.

X (SIGNED)  
J. B. Markham