

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. 3148: Appropriation; Employment Security Comm.

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 Employment Security
8 Commission or its successor, for the purpose of defraying the
9 expenses incurred by said commission for the fiscal year beginning
10 July 1, 2004, and ending June 30, 2005.....\$ 142,442,878.00.

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 .. \$	44,320,610.00
18 Travel and Subsistence.....	1,366,416.00
19 Contractual Services	49,078,496.00
20 Commodities.....	2,275,507.00
21 Capital Outlay:	
22 Other Than Equipment	15,005,000.00
23 Equipment	8,189,196.00
24 Subsidies, Loans and Grants.....	<u>22,207,653.00</u>
25 Total..... \$	142,442,878.00

26 **AUTHORIZED POSITIONS:**

27	Permanent:	Full Time	795
28		Part Time	365
29	Time-Limited:	Full Time	0
30		Part Time	0

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

53 Any transfers or escalations shall be made in accordance with
54 the terms, conditions and procedures established by law or
55 allowable under the terms set forth within this act. The State
56 Personnel Board shall not escalate positions without written
57 approval from the Department of Finance and Administration. The
58 Department of Finance and Administration shall not provide written

59 approval to escalate any funds for salaries and/or positions
60 without proof of availability of new or additional funds above the
61 appropriated level.

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

66 **SECTION 3.** Of the funds appropriated under the provisions of
67 Section 1, the following sum shall be derived from money in the
68 Unemployment Trust Fund, made available to this state under
69 Section 903(d) of the Social Security Act, as amended, to the
70 Employment Security Commission to be deposited in the Employment
71 Security Administration Fund for use by the Employment Security
72 Commission, to administer the Unemployment Compensation (UC) law
73 and its public employment service (ES) offices to include
74 purchases, modification, and automation of computer related
75 systems and related costs; and under the direction of the Office
76 of Building, Grounds and Real Property Management to acquire lands
77 and construct buildings thereon or improve existing buildings to
78 be used as offices, for the fiscal year beginning July 1, 2004,
79 and ending June 30, 2005 \$ 53,000,000.00.

80 The funds authorized in this Section shall be requisitioned
81 by the Employment Security Commission from the Unemployment Trust
82 Fund maintained by the Secretary of the Treasury of the United
83 States as needed for the payment of obligations incurred under
84 this appropriation, and such monies shall be deposited in the
85 Employment Security Administration Fund in accordance with the
86 provisions of Section 71-5-457, Mississippi Code of 1972.

87 **SECTION 4.** Of the funds appropriated in this act, a total of
88 Sixteen Million Dollars (\$16,000,000.00) is provided for the
89 purpose of constructing and/or lease purchasing a new headquarters
90 facility for the Mississippi Employment Security Commission, and

91 paying for any costs associated with the construction of
92 facilities. The funds authorized in this section shall be under
93 the direction of the Bureau of Building, Grounds and Real Property
94 Management.

95 **SECTION 5.** The money herein appropriated shall be paid by
96 the State Treasurer out of any money in the State Treasury to the
97 credit of the proper fund or funds as set forth in this act, upon
98 warrants issued by the State Fiscal Officer; and the State Fiscal
99 Officer shall issue his warrants upon requisitions signed by the
100 proper person, officer or officers, in the manner provided by law.

101 **SECTION 6.** This act shall take effect and be in force from
102 and after July 1, 2004.

CONFEREES FOR THE SENATE

X (SIGNED)
Jack Gordon

X (SIGNED)
Tommy A. Gollott

X (SIGNED)
Dean Kirby

CONFEREES FOR THE HOUSE

X (SIGNED)
Johnny W. Stringer

X (SIGNED)
John Read

X (SIGNED)
Cecil Brown