

## 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; MS Workers Compensation 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 Workers' Compensation  
8 Commission, for the purpose of defraying the expenses incurred by  
9 said commission for the fiscal year beginning July 1, 2004, and  
10 ending June 30, 2005 ..... \$       5,657,090.00.

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 .. \$       4,040,945.00  
18               Travel and Subsistence.....       165,000.00  
19               Contractual Services .....       938,320.00  
20               Commodities.....       78,200.00

21       Capital Outlay:

22               Other Than Equipment .....       5,000.00  
23               Equipment .....       74,625.00  
24               Subsidies, Loans and Grants..... 355,000.00  
25               Total..... \$       5,657,090.00

26       AUTHORIZED POSITIONS:

27	Permanent:	Full Time .....	75
28		Part Time .....	0
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.** It is the intention of the Legislature that with  
67 the funds appropriated in Section 1 and authorized for expenditure  
68 in Section 2, the Mississippi Workers' Compensation Commission  
69 shall enter into a contract with the industrial private sector for  
70 the purpose of implementing a safety education and training  
71 program.

72 **SECTION 4.** With the funds provided herein, it is the intent  
73 of the Legislature that the Workers' Compensation Commission may  
74 transfer a sum or sums not to exceed Two Hundred Thousand Dollars  
75 (\$200,000.00) from the Administrative Expense Fund to the Second  
76 Injury Fund.

77 **SECTION 5.** With the funds provided herein, it is the intent  
78 of the Legislature that the Workers' Compensation Commission may  
79 transfer a sum or sums not to exceed One Hundred Fifty Thousand  
80 Dollars (\$150,000.00) from the Administrative Expense Fund to the  
81 Insurance Integrity Enforcement Bureau within the Office of the  
82 Attorney General.

83 **SECTION 6.** Of the funds appropriated under the provisions of  
84 Section 1 and allocated in Section 2, funds in the amount of  
85 Fifty-seven Thousand Dollars (\$57,000.00) are provided to carry  
86 out the provisions of Senate Bill No. 2647, 2004 Regular Session.

87 **SECTION 7.** The money herein appropriated shall be paid by  
88 the State Treasurer out of any money in the State Treasury to the  
89 credit of the proper fund or funds as set forth in this act, upon  
90 warrants issued by the State Fiscal Officer; and the State Fiscal

91 Officer shall issue his warrants upon requisitions signed by the  
92 proper person, officer or officers, in the manner provided by law.  
93       **SECTION 8.** This act shall take effect and be in force from  
94 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