## MR. SPEAKER AND MADAM PRESIDENT:

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

H. B. No. 1616: Appropriation; Athletic 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 Athletic Commission
8	Fund, for the purpose of defraying the expenses of the Mississippi
9	Athletic Commission for the fiscal year beginning July 1, 2005,
10	and ending June 30, 2006 \$ 128,091.00.
11	<b>SECTION 2.</b> With the funds appropriated under the provisions
12	of Section 1, the following positions are authorized:
13	AUTHORIZED POSITIONS:
14	Permanent: Full Time 1
15	Part Time 0
16	Time-Limited: Full Time
17	Part Time 0
18	With the funds herein appropriated, it is the intention of
19	the Legislature that it shall be the agency's responsibility to
20	make certain that funds required to be appropriated for "Personal
21	Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
22	funds appropriated for that purpose, unless programs or positions
23	are added to the agency's Fiscal Year 2007 budget by the
24	Mississippi Legislature. Based on data provided by the
25	Legislative Budget Office, the State Personnel Board shall
26	determine and publish the projected annual cost to fully fund all
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27 appropriated positions in compliance with the provisions of this 28 act. It shall be the responsibility of the agency head to insure 29 that no single personnel action increases this projected annual 30 cost and/or the Fiscal Year 2006 appropriation for "Personal 31 Services" when annualized, with the exception of escalated funds. 32 If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency 33 34 has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2006 "Personal Services" 35 appropriated level, when annualized, then only those actions which 36 37 reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until 38 39 such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with 40 the terms, conditions and procedures established by law or 41 allowable under the terms set forth within this act. The State 42 43 Personnel Board shall not escalate positions without written 44 approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written 45 46 approval to escalate any funds for salaries and/or positions 47 without proof of availability of new or additional funds above the 48 appropriated level.

49 No general funds authorized to be expended herein shall be 50 used to replace federal funds and/or other special funds which are 51 being used for salaries authorized under the provisions of this 52 act and which are withdrawn and no longer available.

53 The agency shall not take any action to promote or otherwise 54 award salary increases through reallocation, reclassification, 55 realignment, education benchmark, career ladder, or any other 56 means to increase salaries of employees or positions, except for 57 the award of teacher pay increases.

SECTION 3. It is the intention of the Legislature that the 58 59 Mississippi Athletic Commission shall maintain complete accounting and personnel records related to the expenditure of all funds 60 61 appropriated under this act and that such records shall be in the 62 same format and level of detail as maintained for Fiscal Year 63 2005. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2007 shall be submitted to 64 the Joint Legislative Budget Committee in a format and level of 65 detail comparable to the format and level of detail provided 66 during the Fiscal Year 2006 budget request process. 67

68 SECTION 4. The money herein appropriated shall be paid by 69 the State Treasurer out of any money in the State Treasury to the 70 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 71 72 Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law. 73 74 SECTION 5. This act shall take effect and be in force from 75 and after July 1, 2005.

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) Dean Kirby