

REPORT OF CONFERENCE COMMITTEE

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MR. SPEAKER AND MADAM PRESIDENT:

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

H. B. No. 1635: Appropriation; Public Utilities Staff.

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 Public Utilities Staff Regulation
8 Fund, for the purpose of defraying the expenses of the Public
9 Utilities Staff for the fiscal year beginning July 1, 2005, and
10 ending June 30, 2006 \$ 2,101,585.00.

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 .. \$	1,690,414.00
18 Travel and Subsistence.....	67,500.00
19 Contractual Services	321,671.00
20 Commodities.....	17,000.00
21 Capital Outlay:	
22 Other Than Equipment	0.00
23 Equipment	5,000.00
24 Subsidies, Loans and Grants.....	<u>0.00</u>
25 Total..... \$	2,101,585.00

26 **AUTHORIZED POSITIONS:**

27	Permanent:	Full Time	28
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 2007 do not exceed Fiscal Year 2006
35 funds appropriated for that purpose, unless programs or positions
36 are added to the agency's Fiscal Year 2007 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 2006 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 2006 "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 The agency shall not take any action to promote or otherwise
67 award salary increases through reallocation, reclassification,
68 realignment, education benchmark, career ladder, or any other
69 means to increase salaries of employees or positions, except for
70 the award of teacher pay increases.

71 **SECTION 3.** Of the funds provided herein, the sum of
72 Ninety-three Thousand Five Hundred Ninety-one Dollars (\$93,591.00)
73 is hereby assessed on any non-federal special funds and shall be
74 deposited to the Budget Contingency Fund created in Section
75 27-103-301, Mississippi Code of 1972, on or before October 1,
76 2005, for the purpose of reimbursing the State of Mississippi for
77 administrative costs.

78 **SECTION 4.** It is the intention of the Legislature that the
79 Public Utilities Staff shall maintain complete accounting and
80 personnel records related to the expenditure of all funds
81 appropriated under this act and that such records shall be in the
82 same format and level of detail as maintained for Fiscal Year
83 2005. It is further the intention of the Legislature that the
84 agency's budget request for Fiscal Year 2007 shall be submitted to
85 the Joint Legislative Budget Committee in a format and level of
86 detail comparable to the format and level of detail provided
87 during the Fiscal Year 2006 budget request process.

88 **SECTION 5.** The money herein appropriated shall be paid by
89 the State Treasurer out of any money in the State Treasury to the
90 credit of the proper fund or funds as set forth in this act, upon

91 warrants issued by the State Fiscal Officer; and the State Fiscal
92 Officer shall issue his warrants upon requisitions signed by the
93 proper person, officer or officers in the manner provided by law.
94 **SECTION 6.** This act shall take effect and be in force from
95 and after July 1, 2005.

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Read

X (SIGNED)
Denny

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Gollott

X (SIGNED)
Kirby