

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. 1661: Appropriation; Insurance Department.

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 any special
7 fund in the State Treasury to the credit of the Mississippi
8 Department of Insurance which is comprised of special source funds
9 collected by or otherwise available to the department, for the
10 purpose of defraying the expenses of the department for the fiscal
11 year beginning July 1, 2005, and ending June 30, 2006

	\$ 8,186,724.00.
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13 **SECTION 2.** Of the funds appropriated under the provisions of
14 Section 1, not more than the amounts set forth below shall be
15 expended for the respective major objects or purposes of
16 expenditure:

17 **MAJOR OBJECTS OF EXPENDITURE:**

18 Personal Services:

Salaries, Wages and Fringe Benefits .. \$	5,480,407.00
Travel and Subsistence.....	130,000.00
Contractual Services	2,215,725.00
Commodities.....	200,071.00
23 Capital Outlay:	
Other Than Equipment	0.00
Equipment	160,021.00
Subsidies, Loans and Grants.....	<u>500.00</u>

27 Total..... \$ 8,186,724.00

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time	117
30		Part Time	0
31	Time-Limited:	Full Time	0
32		Part Time	0

33 With the funds herein appropriated, it is the intention of
34 the Legislature that it shall be the agency's responsibility to
35 make certain that funds required to be appropriated for "Personal
36 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
37 funds appropriated for that purpose, unless programs or positions
38 are added to the agency's Fiscal Year 2007 budget by the
39 Mississippi Legislature. Based on data provided by the
40 Legislative Budget Office, the State Personnel Board shall
41 determine and publish the projected annual cost to fully fund all
42 appropriated positions in compliance with the provisions of this
43 act. It shall be the responsibility of the agency head to insure
44 that no single personnel action increases this projected annual
45 cost and/or the Fiscal Year 2006 appropriation for "Personal
46 Services" when annualized, with the exception of escalated funds.
47 If, at the time the agency takes any action to change "Personal
48 Services," the State Personnel Board determines that the agency
49 has taken an action which would cause the agency to exceed this
50 projected annual cost or the Fiscal Year 2006 "Personal Services"
51 appropriated level, when annualized, then only those actions which
52 reduce the projected annual cost and/or the appropriation
53 requirement will be processed by the State Personnel Board until
54 such time as the requirements of this provision are met.

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

59 approval from the Department of Finance and Administration. The
60 Department of Finance and Administration shall not provide written
61 approval to escalate any funds for salaries and/or positions
62 without proof of availability of new or additional funds above the
63 appropriated level.

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

68 The agency shall not take any action to promote or otherwise
69 award salary increases through reallocation, reclassification,
70 realignment, education benchmark, career ladder, or any other
71 means to increase salaries of employees or positions, except for
72 the award of teacher pay increases.

73 **SECTION 3.** It is the intention of the Legislature that the
74 Mississippi Department of Insurance shall maintain complete
75 accounting and personnel records related to the expenditure of all
76 funds appropriated under this act and that such records shall be
77 in the same format and level of detail as maintained for Fiscal
78 Year 2005. It is further the intention of the Legislature that
79 the agency's budget request for Fiscal Year 2007 shall be
80 submitted to the Joint Legislative Budget Committee in a format
81 and level of detail comparable to the format and level of detail
82 provided during the Fiscal Year 2006 budget request process.

83 **SECTION 4.** Of the funds appropriated under the provisions of
84 Section 1, and authorized for expenditure in Section 2, Fifteen
85 Thousand Seven Hundred Eighty-two Dollars (\$15,782.00) is provided
86 for the Mississippi Fire Personnel Minimum Standards and
87 Certification Board.

88 **SECTION 5.** The following sum, or so much thereof as may be
89 necessary, is hereby appropriated out of any money in the special
90 fund in the State Treasury to the credit of the Rural Fire Truck

91 Acquisition Fund to the Mississippi Department of Insurance for
92 the Rural Fire Truck Acquisition Assistance Program for the fiscal
93 year beginning July 1, 2005, and ending June 30, 2006
94 \$ 5,988,567.00.

95 **SECTION 6.** The following sum, or so much thereof as may be
96 necessary, is hereby appropriated out of any money in the special
97 fund in the State Treasury to the credit of the Supplemental Rural
98 Fire Truck Fund, created in Section 1, Laws of 2004, Third
99 Extraordinary Session, to the Mississippi Department of Insurance
100 for the Supplemental Rural Fire Truck Acquisition Assistance
101 Program for the fiscal year beginning July 1, 2005, and ending
102 June 30, 2006..... \$ 2,500,000.00

103 **SECTION 7.** Of the funds appropriated under the provisions of
104 Section 1 and authorized for expenditure in Section 2, funds in
105 the amount of Ten Thousand Dollars (\$10,000.00) are provided and
106 shall be expended to pay the annual dues for the National
107 Conference of Insurance Legislators.

108 **SECTION 8.** It is the intention of the Legislature that none
109 of the funds appropriated above shall be expended unless members
110 of the Mississippi House of Representatives and Mississippi Senate
111 are notified at least five (5) days prior to a public ceremony
112 announcing the award of any grant in their district or any public
113 announcement or ceremony regarding the groundbreaking or opening
114 of a facility, roadway or bridge for which the Legislature has
115 made funds available. Any signage regarding any public event or
116 any new facility, roadway or bridge shall include the following
117 language: "Funds were made available for this project by the
118 Mississippi State Legislature."

119 **SECTION 9.** Of the funds appropriated under the provisions of
120 Section 1 and authorized for expenditure in Section 2, the sum of
121 Three Hundred Thirty-seven Thousand Two Hundred Twenty-Five
122 Dollars (\$337,225.00) is hereby assessed on any nonfederal special

123 funds and shall be deposited to the Budget Contingency Fund
124 created in Section 27-103-301, Mississippi Code of 1972, on or
125 before October 1, 2005, for the purpose of reimbursing the State
126 of Mississippi for administrative costs.

127 **SECTION 10.** The money herein appropriated shall be paid by
128 the State Treasurer out of any money in the State Treasury to the
129 credit of the proper fund or funds as set forth in this act, upon
130 warrants issued by the State Fiscal Officer; and the State Fiscal
131 Officer shall issue his warrants upon requisitions signed by the
132 proper person, officer or officers, in the manner provided by law.

133 **SECTION 11.** This act shall take effect and be in force from
134 and after July 1, 2005.

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Capps

X (SIGNED)
Weathersby

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Kirby

X (SIGNED)
Flowers