

REPORT OF CONFERENCE COMMITTEE

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MADAM PRESIDENT AND MR. SPEAKER:

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

S. B. No. 3097: 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, 2005, and
10 ending June 30, 2006..... \$ 5,394,635.00.

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.. \$ 3,981,167.00
18 Travel and Subsistence..... 165,000.00
19 Contractual Services..... 777,143.00
20 Commodities..... 78,200.00

21 Capital Outlay:

22 Other Than Equipment..... 0.00
23 Equipment..... 38,125.00
24 Subsidies, Loans and Grants..... 355,000.00
25 Total..... \$ 5,394,635.00

26 AUTHORIZED POSITIONS:

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

77 **SECTION 4.** 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 Two Hundred Thousand Dollars
80 (\$200,000.00) from the Administrative Expense Fund to the Second
81 Injury Fund.

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

88 **SECTION 6.** 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 7.** This act shall take effect and be in force from
95 and after July 1, 2005.

CONFEREES FOR THE SENATE

X (SIGNED)
Jack Gordon

X (SIGNED)
Tommy A. Gollott

X (SIGNED)
T. O. Moffatt

CONFEREES FOR THE HOUSE

X (SIGNED)
Johnny W. Stringer

X (SIGNED)
John Read

X (SIGNED)
Cecil Brown