

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

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

H. B. No. 1602: Appropriation; Public Service 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 Public Service Commission Regulation  
8 Fund, for the purpose of defraying the expenses of the Mississippi  
9 Public Service Commission for the fiscal year beginning  
10 July 1, 2006, and ending June 30, 2007.....  
11 ..... \$           5,230,847.00.

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

16           MAJOR OBJECTS OF EXPENDITURE:

17           Personal Services:

18                 Salaries, Wages and Fringe Benefits.. \$           3,748,221.00

19                 Travel and Subsistence.....                         350,000.00

20                 Contractual Services.....                                 787,306.00

21                 Commodities.....   115,000.00

22           Capital Outlay:

23                 Other Than Equipment.....                                 0.00

24                 Equipment.....   223,320.00

25                 Subsidies, Loans and Grants.....                         7,000.00

26                 Total..... \$           5,230,847.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	72
29		Part Time.....	1
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

32 Funds are provided herein to adjust the Variable Compensation  
33 Plan to ensure that all full-time employees receive a pay increase  
34 equal to the realignment component of the Variable Compensation  
35 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
36 with not more than one-half (1/2) to be awarded on July 1, 2006,  
37 with the remainder to be awarded on January 1, 2007.

38 With the funds herein appropriated, it is the intention of  
39 the Legislature that it shall be the agency's responsibility to  
40 make certain that funds required to be appropriated for "Personal  
41 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
42 funds appropriated for that purpose, unless programs or positions  
43 are added to the agency's Fiscal Year 2008 budget by the  
44 Mississippi Legislature. Based on data provided by the  
45 Legislative Budget Office, the State Personnel Board shall  
46 determine and publish the projected annual cost to fully fund all  
47 appropriated positions in compliance with the provisions of this  
48 act. It shall be the responsibility of the agency head to insure  
49 that no single personnel action increases this projected annual  
50 cost and/or the Fiscal Year 2007 appropriation for "Personal  
51 Services" when annualized, with the exception of escalated funds.  
52 If, at the time the agency takes any action to change "Personal  
53 Services," the State Personnel Board determines that the agency  
54 has taken an action which would cause the agency to exceed this  
55 projected annual cost or the Fiscal Year 2007 "Personal Services"  
56 appropriated level, when annualized, then only those actions which  
57 reduce the projected annual cost and/or the appropriation

58 requirement will be processed by the State Personnel Board until  
59 such time as the requirements of this provision are met.

60 Any transfers or escalations shall be made in accordance with  
61 the terms, conditions and procedures established by law or  
62 allowable under the terms set forth within this act. The State  
63 Personnel Board shall not escalate positions without written  
64 approval from the Department of Finance and Administration. The  
65 Department of Finance and Administration shall not provide written  
66 approval to escalate any funds for salaries and/or positions  
67 without proof of availability of new or additional funds above the  
68 appropriated level.

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

73 **SECTION 3.** None of the funds herein appropriated by this act  
74 to the Public Service Commission shall be expended for any purpose  
75 that is not actually required or necessary for performing any of  
76 the powers or duties of the Mississippi Public Service Commission  
77 that are authorized by the Mississippi Constitution of 1890, state  
78 or federal law, or rules or regulations that implement state or  
79 federal law.

80 **SECTION 4.** It is the intention of the Legislature that the  
81 Public Service Commission shall maintain complete accounting and  
82 personnel records related to the expenditure of all funds  
83 appropriated under this act and that such records shall be in the  
84 same format and level of detail as maintained for Fiscal Year  
85 2006. It is further the intention of the Legislature that the  
86 agency's budget request for Fiscal Year 2008 shall be submitted to  
87 the Joint Legislative Budget Committee in a format and level of  
88 detail comparable to the format and level of detail provided  
89 during the Fiscal Year 2007 budget request process.

90           **SECTION 5.** In addition to all other sums herein  
91 appropriated, the following sum, or so much thereof as may be  
92 necessary, is appropriated out of any money in the State Treasury  
93 to the credit of the Public Service Commission, for the purpose of  
94 defraying the expenses of the Public Service Commission to  
95 administer the Mississippi Telephone Solicitation Act, for the  
96 fiscal year beginning July 1, 2006, and ending June 30, 2007.....  
97 ..... \$           160,000.00.

98           **SECTION 6.** It is the intention of the Legislature that  
99 whenever two (2) or more bids are received by this agency for the  
100 purchase of commodities or equipment, and whenever all things  
101 stated in such received bids are equal with respect to price,  
102 quality and service, the Mississippi Industries for the Blind  
103 shall be given preference. A similar preference shall be given to  
104 the Mississippi Industries for the Blind whenever purchases are  
105 made without competitive bids.

106           **SECTION 7.** The money herein appropriated shall be paid by  
107 the State Treasurer out of any money in the State Treasury to the  
108 credit of the proper fund or funds as set forth in this act, upon  
109 warrants issued by the State Fiscal Officer; and the State Fiscal  
110 Officer shall issue his warrants upon requisitions signed by the  
111 proper person, officer or officers, in the manner provided by law.

112           **SECTION 8.** This act shall take effect and be in force from  
113 and after July 1, 2006.

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)  
Thames