

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

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

S. B. No. 3005: Appropriation; Judicial Performance 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 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the Commission on Judicial Performance
9 of the State of Mississippi for the fiscal year beginning
10 July 1, 2006, and ending June 30, 2007..... \$ 362,354.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the State
13 Treasury to the credit of the Commission on Judicial Performance,
14 for the purpose of defraying the expenses of the Commission on
15 Judicial Performance of the State of Mississippi for the fiscal
16 year beginning July 1, 2006, and ending June 30, 2007.....
17 \$ 162,500.00.

18 **SECTION 3.** With the funds appropriated under the provisions
19 of Sections 1 and 2, the following positions are authorized:

20 AUTHORIZED POSITIONS:

Permanent:	Full Time.....	5
	Part Time.....	0
Time-Limited:	Full Time.....	0
	Part Time.....	0

25 Any transfers or escalations shall be made in accordance with
26 the terms, conditions and procedures established by law.

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30 act and which are withdrawn and no longer available.

31 **SECTION 4.** It is the intention of the Legislature that the
32 Judicial Performance Commission shall maintain complete accounting
33 and personnel records related to the expenditure of all funds
34 appropriated under this act and that such records shall be in the
35 same format and level of detail as maintained for Fiscal Year
36 2006. It is further the intention of the Legislature that the
37 agency's budget request for Fiscal Year 2008 shall be submitted to
38 the Joint Legislative Budget Committee in a format and level of
39 detail comparable to the format and level of detail provided
40 during the Fiscal Year 2007 budget request process.

41 **SECTION 5.** It is the intention of the Legislature that
42 whenever two (2) or more bids are received by this agency for the
43 purchase of commodities or equipment, and whenever all things
44 stated in such received bids are equal with respect to price,
45 quality and service, the Mississippi Industries for the Blind
46 shall be given preference. A similar preference shall be given to
47 the Mississippi Industries for the Blind whenever purchases are
48 made without competitive bids.

49 **SECTION 6.** In addition to all other funds heretofore
50 appropriated, the following sum is hereby appropriated out of any
51 money in the State Treasury to the credit of the Mississippi
52 Commission on Judicial Performance for the purpose of funding
53 travel and the costs of five (5) formal hearings of the Commission
54 for the period beginning upon passage and through June 30, 2006
55 \$ 30,000.00

56 **SECTION 7.** The money herein appropriated shall be paid by
57 the State Treasurer out of any money in the State Treasury to the
58 credit of the proper fund or funds as set forth in this act, upon

59 warrants issued by the State Fiscal Officer; and the State Fiscal
60 Officer shall issue his warrants upon requisitions signed by the
61 proper person, officer or officers, in the manner provided by law.

62 **SECTION 8.** This act shall take effect and be in force from
63 and after July 1, 2006, except for Section 6 which shall take
64 effect and be in force from and after its passage.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE
3 STATE OF MISSISSIPPI FOR THE FISCAL YEARS 2006 AND 2007.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X (SIGNED)
Gordon

X (SIGNED)
Stringer

X (SIGNED)
Walls

X (SIGNED)
Coleman (29th)

X (SIGNED)
Turner

X (SIGNED)
Banks