

**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. 3007: Appropriation; Finance & Admin. Consol.

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, to defray the expenses of  
8 the Department of Finance and Administration for the fiscal year  
9 beginning July 1, 2006, and ending June 30, 2007.....  
10 ..... \$     11,500,279.00.

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 Department of Finance and  
14 Administration for the purpose of defraying the expenses incurred  
15 in the operation of the various offices of the department for the  
16 fiscal year beginning July 1, 2006, and ending June 30, 2007.....  
17 ..... \$     28,966,170.00.

18           **SECTION 3.** Of the funds appropriated under the provisions of  
19 Sections 1 and 2, not more than the amounts set forth below shall  
20 be expended for the respective major objects or purposes of  
21 expenditure:

**MAJOR OBJECTS OF EXPENDITURE:**

Personal Services:

24	Salaries, Wages and Fringe Benefits..	\$	19,133,983.00
25	Travel and Subsistence.....		244,248.00
26	Contractual Services.....		18,224,310.00

27	Commodities.....	1,171,147.00
28	Capital Outlay:	
29	Other Than Equipment.....	0.00
30	Equipment.....	958,293.00
31	Subsidies, Loans and Grants.....	<u>734,468.00</u>
32	Total..... \$	40,466,449.00

33 FUNDING:

34	General Funds..... \$	11,500,279.00
35	Special Funds.....	<u>28,966,170.00</u>
36	Total..... \$	40,466,449.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time.....	367
39	Part Time.....	2
40	Time-Limited: Full Time.....	0
41	Part Time.....	0

42 Provided that a report based on expenditures incurred during  
43 the current and immediate-past fiscal years shall be provided to  
44 each regularly scheduled legislative session. This report should  
45 reflect expenditures as a result of the operation of the Robert E.  
46 Lee Building, the Woolfolk State Office Building, the Gartin and  
47 Sillers Buildings, the Capitol Buildings, the Central High School  
48 Building, the Robert G. Clark, Jr., Building and other state  
49 buildings, and this report should contain any steps taken to  
50 reduce operating costs.

51 It is also the intention of the Legislature that no  
52 state-owned aircraft shall be utilized by any person except for  
53 official business only.

54 **SECTION 4.** In addition to all other sums herein  
55 appropriated, the following sum, or so much thereof as may be  
56 necessary, is hereby appropriated out of any money in the special  
57 fund in the State Treasury to the credit of the Tort Claims Fund  
58 for the purpose of defraying the expenses of the Tort Claims Board

59 in the administration of the Tort Claims Act for the fiscal year  
 60 beginning July 1, 2006, and ending June 30, 2007.....  
 61 ..... \$ 10,764,387.00.

62 Of the funds appropriated under the provisions of this  
 63 section, not more than the amounts set forth below shall be  
 64 expended for the respective major objects or purposes of  
 65 expenditure:

66 MAJOR OBJECTS OF EXPENDITURE:

67 Personal Services:

68	Salaries, Wages and Fringe Benefits..	\$	373,930.00
69	Travel and Subsistence.....		17,400.00
70	Contractual Services.....		4,340,250.00
71	Commodities.....		6,800.00
72	Capital Outlay:		
73	Other Than Equipment.....		0.00
74	Equipment.....		3,000.00
75	Subsidies, Loans and Grants.....		<u>6,023,007.00</u>
76	Total.....	\$	10,764,387.00

77 FUNDING:

78	General Funds.....	\$	0.00
79	Special Funds.....		<u>10,764,387.00</u>
80	Total.....	\$	10,764,387.00

81 AUTHORIZED POSITIONS:

82	Permanent:	Full Time.....	6
83		Part Time.....	0
84	Time-Limited:	Full Time.....	0
85		Part Time.....	0

86 **SECTION 5.** In addition to all other sums herein  
 87 appropriated, the following sum or so much thereof as may be  
 88 necessary is hereby appropriated out of any money in the State  
 89 Treasury to the credit of the Medical Malpractice Fund for the  
 90 purpose of defraying the expenses of the Tort Claims Board in

91 administering the Medical Malpractice Insurance Availability Plan,  
 92 for the fiscal year beginning July 1, 2006, and ending  
 93 June 30, 2007..... \$ 407,700.00.

94 Of the funds appropriated under the provisions of this  
 95 section, not more than the amounts set forth below shall be  
 96 expended for the respective major objects or purposes of  
 97 expenditure:

98 MAJOR OBJECTS OF EXPENDITURE:

99 Personal Services:

100	Salaries, Wages and Fringe Benefits..	\$	249,218.00
101	Travel and Subsistence.....		10,000.00
102	Contractual Services.....		144,482.00
103	Commodities.....		1,000.00
104	Capital Outlay:		
105	Other Than Equipment.....		0.00
106	Equipment.....		3,000.00
107	Subsidies, Loans and Grants.....		<u>0.00</u>
108	Total.....	\$	407,700.00

109 FUNDING:

110	General Funds.....	\$	0.00
111	Special Funds.....		<u>407,700.00</u>
112	Total.....	\$	407,700.00

113 AUTHORIZED POSITIONS:

114	Permanent:	Full Time.....	5
115		Part Time.....	0
116	Time-Limited:	Full Time.....	0
117		Part Time.....	0

118 **SECTION 6.** Funds are provided herein to adjust the Variable  
 119 Compensation Plan to ensure that all full-time employees receive a  
 120 pay increase equal to the realignment component of the Variable  
 121 Compensation Plan or Fifteen Hundred Dollars (\$1,500.00),  
 122 whichever is greater, with not more than one-half (1/2) to be

123 awarded on July 1, 2006, with the remainder to be awarded on  
124 January 1, 2007.

125         With the funds herein appropriated, it is the intention of  
126 the Legislature that it shall be the agency's responsibility to  
127 make certain that funds required to be appropriated for "Personal  
128 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
129 funds appropriated for that purpose, unless programs or positions  
130 are added to the agency's Fiscal Year 2008 budget by the  
131 Mississippi Legislature. Based on data provided by the  
132 Legislative Budget Office, the State Personnel Board shall  
133 determine and publish the projected annual cost to fully fund all  
134 appropriated positions in compliance with the provisions of this  
135 act. It shall be the responsibility of the agency head to insure  
136 that no single personnel action increases this projected annual  
137 cost and/or the Fiscal Year 2007 appropriation for "Personal  
138 Services" when annualized, with the exception of escalated funds.  
139 If, at the time the agency takes any action to change "Personal  
140 Services," the State Personnel Board determines that the agency  
141 has taken an action which would cause the agency to exceed this  
142 projected annual cost or the Fiscal Year 2007 "Personal Services"  
143 appropriated level, when annualized, then only those actions which  
144 reduce the projected annual cost and/or the appropriation  
145 requirement will be processed by the State Personnel Board until  
146 such time as the requirements of this provision are met.

147         Any transfers or escalations shall be made in accordance with  
148 the terms, conditions and procedures established by law or  
149 allowable under the terms set forth within this act. The State  
150 Personnel Board shall not escalate positions without written  
151 approval from the Department of Finance and Administration. The  
152 Department of Finance and Administration shall not provide written  
153 approval to escalate any funds for salaries and/or positions

154 without proof of availability of new or additional funds above the  
155 appropriated level.

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

160 **SECTION 7.** The Bureau of Building, Grounds and Real Property  
161 Management of the Office of General Services is hereby expressly  
162 authorized and empowered to receive, budget and expend any state,  
163 local or other source funds designated for supplemental funding of  
164 construction and/or repairs and renovation projects.

165 **SECTION 8.** Of the funds appropriated under the provisions of  
166 Section 2, the following amounts are authorized to be spent out of  
167 the Statewide Cost Allocation Fund No. 3143 by the Department of  
168 Finance and Administration:

169 (a) Three Hundred Seven Thousand Three Hundred Dollars  
170 (\$307,300.00) for the purpose of defraying computer  
171 expenses.

172 (b) Four Hundred Seventy-two Thousand Six Hundred  
173 Twenty-eight Dollars (\$472,628.00) the purpose of  
174 providing statewide accounting, payroll and document  
175 management.

176 (c) Two Hundred Forty Thousand Three Dollars (\$240,003.00)  
177 for the purpose of defraying the expenses of  
178 administration of the Statewide Cost Allocation Plan,  
179 utilities for the Capitol Complex, and Air Transport  
180 Services.

181 **SECTION 9.** It is the intention of the Legislature that the  
182 Department of Finance and Administration shall maintain complete  
183 accounting and personnel records related to the expenditure of all  
184 funds appropriated under this act and that such records shall be  
185 in the same format and level of detail as maintained for Fiscal

186 Year 2006. It is further the intention of the Legislature that  
187 the agency's budget request for Fiscal Year 2008 shall be  
188 submitted to the Joint Legislative Budget Committee in a format  
189 and level of detail comparable to the format and level of detail  
190 provided during the Fiscal Year 2007 budget request process.

191 **SECTION 10.** It is the intention of the Legislature that the  
192 Executive Director of the Mississippi Department of Finance and  
193 Administration may authorize increases in major objects of  
194 expenditure in total amounts not to exceed twenty-five percent  
195 (25%) of the appropriated amount of each major object of  
196 expenditure, provided that other major objects of expenditure are  
197 decreased by a corresponding dollar amount. However, no transfers  
198 shall be authorized which increase the major object of expenditure  
199 "Salaries, Wages and Fringe Benefits."

200 **SECTION 11.** The department is authorized to expend available  
201 funds on technology or equipment upgrades or replacements when it  
202 will generate savings through efficiency or when the savings  
203 generated from such upgrades or replacements exceed expenditures  
204 thereof.

205 **SECTION 12.** It is the intention of the Legislature that  
206 whenever two (2) or more bids are received by this agency for the  
207 purchase of commodities or equipment, and whenever all things  
208 stated in such received bids are equal with respect to price,  
209 quality and service, the Mississippi Industries for the Blind  
210 shall be given preference. A similar preference shall be given to  
211 the Mississippi Industries for the Blind whenever purchases are  
212 made without competitive bids.

213 **SECTION 13.** Of the funds appropriated under the provisions of  
214 Section 2, Five Hundred Thousand Dollars (\$500,000.00) shall be  
215 derived from the Budget Contingency Fund created in Section 27-  
216 103-301, Mississippi Code of 1972, for the purpose of defraying  
217 the expenses of the Department of Finance and Administration.

218           **SECTION 14.** In the event that legislation is adopted by the  
219 Legislature, and approved by the Governor, creating a Bureau of  
220 Fleet Management within the Office of Purchasing, Travel, and  
221 Fleet Management, the Department of Finance and Administration may  
222 expend up to \$938,440 to defray the cost of the program and hire  
223 five (5) Permanent Full Time positions, upon passage of this act,  
224 for the purpose of implementing the requirements as authorized in  
225 Senate Bill No. 2398, Regular Session of 2006. If SB 2398 is not  
226 enacted, the sum of \$938,440 shall not be expended and shall lapse  
227 to the State General Fund.

228           **SECTION 15.** It is the intention of the Legislature that the  
229 Department of Finance and Administration is hereby authorized to  
230 escalate, budget and expend funds from any source, not to exceed  
231 One Million Dollars (\$1,000,000.00), for the purpose of paying  
232 utility expenses of state owned facilities, in accordance with  
233 rules and regulations of the Department of Finance and  
234 Administration in a manner consistent with the escalation of  
235 federal funds.

236           **SECTION 16.** In the event that legislation is adopted by the  
237 Legislature, and approved by the Governor, to authorize the Tort  
238 Claims Board to transfer the assets and liabilities of the Medical  
239 Malpractice Insurance Availability Plan, the Department of Finance  
240 and Administration may transfer four (4) Permanent Full Time  
241 positions from the Medical Malpractice Insurance Availability  
242 Plan, along with budget authority to provide for support costs, to  
243 the Tort Claims Board. One (1) of these positions may be  
244 appropriately reallocated to administer the state property  
245 insurance program as authorized in House Bill 4,  
246 Fifth Extraordinary Session of 2005.

247           **SECTION 17.** In addition to all other sums heretofore  
248 appropriated, the following sum, or so much thereof as may be  
249 necessary, is hereby out of any money in the State General Fund,



250 not otherwise appropriated, to the Tort Claims Board for the  
251 purpose of defraying the expenses of the board for the period  
252 beginning upon passage of this act and ending June 30, 2007....  
253 .....\$ 10,000,000.00.

254 This additional appropriation is made for the purpose of  
255 purchasing property insurance on state property as required by the  
256 Stafford Act, Section 311, Paragraph 5154 and 44 CFR 206.252 and  
257 206.253, and House Bill No. 4, Fifth Extraordinary Session of  
258 2005.

259 **SECTION 18.** The money herein appropriated shall be paid by  
260 the State Treasurer out of any money in the State Treasury to the  
261 credit of the proper fund or funds as set forth in this act, upon  
262 warrants issued by the State Fiscal Officer; and the State Fiscal  
263 Officer shall issue his warrants upon requisitions signed by the  
264 proper person, officer or officers, in the manner provided by law.

265 **SECTION 19.** This act shall take effect and be in force from  
266 and after July 1, 2006, except for Section 17 which shall take  
267 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 TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEARS 2006 AND  
3 2007.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
X (SIGNED) Gordon	X (SIGNED) Stringer
X (SIGNED) Dearing	X (SIGNED) Flaggs
X (SIGNED) Burton	X (SIGNED) Brown