

## 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. 3012: Appropriation; Treasurers Office.

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:

**SECTION 1.** The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the office of the State Treasurer for the fiscal year beginning July 1, 2006, and ending June 30, 2007.....  
..... \$ 613,673.00.

**SECTION 2.** The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the special fund entitled Abandoned Property Fund in the State Treasury for the purpose of defraying expenses of the State Treasurer in administering the Uniform Disposition of Unclaimed Property and certain other expenses of the office, for the fiscal year beginning July 1, 2006, and ending June 30, 2007.....  
..... \$ 2,528,521.00.

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

### MAJOR OBJECTS OF EXPENDITURE:

#### Personal Services:

Salaries, Wages and Fringe Benefits..	\$ 1,911,117.00
Travel and Subsistence.....	15,000.00

26	Contractual Services.....	1,051,677.00
27	Commodities.....	51,000.00
28	Capital Outlay:	
29	Other Than Equipment.....	0.00
30	Equipment.....	113,400.00
31	Subsidies, Loans and Grants.....	<u>0.00</u>
32	Total..... \$	3,142,194.00

33 FUNDING:

34	General Funds..... \$	613,673.00
35	Special Funds.....	<u>2,528,521.00</u>
36	Total..... \$	3,142,194.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time.....	33
39	Part Time.....	0
40	Time-Limited: Full Time.....	0
41	Part Time.....	0

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

48 With the funds herein appropriated, it is the intention of  
49 the Legislature that it shall be the agency's responsibility to  
50 make certain that funds required to be appropriated for "Personal  
51 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
52 funds appropriated for that purpose, unless programs or positions  
53 are added to the agency's Fiscal Year 2008 budget by the  
54 Mississippi Legislature. Based on data provided by the  
55 Legislative Budget Office, the State Personnel Board shall  
56 determine and publish the projected annual cost to fully fund all  
57 appropriated positions in compliance with the provisions of this

58 act. It shall be the responsibility of the agency head to insure  
59 that no single personnel action increases this projected annual  
60 cost and/or the Fiscal Year 2007 appropriation for "Personal  
61 Services" when annualized, with the exception of escalated funds.  
62 If, at the time the agency takes any action to change "Personal  
63 Services," the State Personnel Board determines that the agency  
64 has taken an action which would cause the agency to exceed this  
65 projected annual cost or the Fiscal Year 2007 "Personal Services"  
66 appropriated level, when annualized, then only those actions which  
67 reduce the projected annual cost and/or the appropriation  
68 requirement will be processed by the State Personnel Board until  
69 such time as the requirements of this provision are met.

70 Any transfers or escalations shall be made in accordance with  
71 the terms, conditions and procedures established by law or  
72 allowable under the terms set forth within this act. The State  
73 Personnel Board shall not escalate positions without written  
74 approval from the Department of Finance and Administration. The  
75 Department of Finance and Administration shall not provide written  
76 approval to escalate any funds for salaries and/or positions  
77 without proof of availability of new or additional funds above the  
78 appropriated level.

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

83 **SECTION 4.** In addition to all other sums herein  
84 appropriated, the following sum, or so much thereof as may be  
85 necessary, is hereby appropriated out of any money in the State  
86 Treasury to the credit of the Education Improvement Trust Fund No.  
87 3219 for the purpose of investing funds for the fiscal year  
88 beginning July 1, 2006, and ending June 30, 2007.....  
89 ..... \$ 125,000.00.

**SECTION 5.** The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund to defray the costs of the Mississippi Prepaid Affordable College Tuition Program for the fiscal year beginning July 1, 2006, and ending June 30, 2007.....

..... \$ 1,299,017.00.

**SECTION 6.** Of the funds appropriated under the provisions of Section 5, not more than the amounts set forth below shall be expended for the respective major objects or purposes of expenditure:

**MAJOR OBJECTS OF EXPENDITURE:**

**Personal Services:**

Salaries, Wages and Fringe Benefits.. \$ 180,592.00

Travel and Subsistence..... 14,987.00

Contractual Services..... 1,065,306.00

Commodities..... 34,932.00

**Capital Outlay:**

Other Than Equipment..... 0.00

Equipment..... 3,200.00

Subsidies, Loans and Grants..... 0.00

Total..... \$ 1,299,017.00

**AUTHORIZED POSITIONS:**

Permanent: Full Time..... 4

Part Time..... 0

Time-Limited: Full Time..... 0

Part Time..... 0

**SECTION 7.** The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid

122 Affordable College Tuition Program, for the fiscal year beginning  
123 July 1, 2006, and ending June 30, 2007..... \$ 18,000,000.00.

124 It is the intention of the Legislature that the State  
125 Treasurer is hereby authorized to accept, budget and expend an  
126 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
127 funds authorized for the Mississippi Prepaid Affordable College  
128 Tuition Program, for paying amounts due for prepaid tuition  
129 contracts of the Mississippi Prepaid Affordable College Tuition  
130 Program. Such funds shall be escalated in accordance with the  
131 rules and regulations of the Department of Finance and  
132 Administration in a manner consistent with the escalation of  
133 federal funds.

134 **SECTION 8.** The following sum, or so much thereof as may be  
135 necessary, is hereby appropriated out of any money in the State  
136 General Fund not otherwise appropriated, to defray the expenses of  
137 the Office of the State Treasurer-Health Care Trust Fund Board,  
138 for the fiscal year beginning July 1, 2006, and ending  
139 June 30, 2007..... \$ 20,632.00.

140 **SECTION 9.** The following sum, or so much thereof as may be  
141 necessary, is hereby appropriated out of any money in the State  
142 Treasury to the credit of the Health Care Expendable Fund, created  
143 under House Bill No. 519, 1999 Regular Session, for the purpose of  
144 defraying the expenses of the Office of the State Treasurer for  
145 the fiscal year beginning July 1, 2006, and ending  
146 June 30, 2007..... \$ 78,576.00.

147 **SECTION 10.** Of the funds appropriated under the provisions  
148 of Sections 8 and 9, not more than the amounts set forth below  
149 shall be expended for the respective major objects or purposes of  
150 expenditure:

151 MAJOR OBJECTS OF EXPENDITURE:

152 Personal Services:

153 Salaries, Wages and Fringe Benefits.. \$ 48,261.00

154	Travel and Subsistence.....	2,700.00
155	Contractual Services.....	46,247.00
156	Commodities.....	2,000.00
157	Capital Outlay:	
158	Other Than Equipment.....	0.00
159	Equipment.....	0.00
160	Subsidies, Loans and Grants.....	0.00
161	Total..... \$	99,208.00

162 AUTHORIZED POSITIONS:

163	Permanent: Full Time.....	1
164	Part Time.....	0
165	Time-Limited: Full Time.....	0
166	Part Time.....	0

167 **SECTION 11.** The following sum, or so much thereof as may be  
168 necessary, is hereby appropriated out of any money in the State  
169 Treasury to the credit of the Mississippi Affordable College  
170 Savings Administrative Fund to defray the costs of the Mississippi  
171 Affordable College Savings Program for the fiscal year beginning  
172 July 1, 2006, and ending June 30, 2007..... \$ 176,437.00.

173 **SECTION 12.** Of the funds appropriated under the provisions  
174 of Section 11, not more than the amounts set forth below shall be  
175 expended for the respective major objects or purposes of  
176 expenditure:

177 MAJOR OBJECTS OF EXPENDITURE:

178	Personal Services:	
179	Salaries, Wages and Fringe Benefits.. \$	101,317.00
180	Travel and Subsistence.....	13,592.00
181	Contractual Services.....	57,663.00
182	Commodities.....	3,865.00
183	Capital Outlay:	
184	Other Than Equipment.....	0.00
185	Equipment.....	0.00

186           Subsidies, Loans and Grants..... 0.00  
187           Total..... \$           176,437.00

188    AUTHORIZED POSITIONS:

189           Permanent:       Full Time.....       2  
190                            Part Time.....       0  
191           Time-Limited:   Full Time.....       0  
192                            Part Time.....       0

193       **SECTION 13.** No part of the funds appropriated herein shall  
194 be used in the payment of attorney's fees, nor shall any of said  
195 funds be used either directly or indirectly, for the purpose of  
196 paying any clerk, stenographer, assistant, deputy or other person  
197 who may be related by blood or marriage within the third degree,  
198 computed by the rules of the civil law, to the official employing  
199 or having the right of employment or selection thereof; and in the  
200 event of any such payment, then the official or person approving  
201 and making or receiving such payment shall be jointly and  
202 severally liable to return to the State of Mississippi and to pay  
203 into the State Treasury three (3) times any such amount so paid or  
204 received, to be recovered at suit of the Attorney General;  
205 provided that when the relationship is by affinity and the person  
206 through whom the relationship was established is dead, this  
207 provision shall not apply.

208       **SECTION 14.** It is the intention of the Legislature that the  
209 Office of the State Treasurer shall maintain complete accounting  
210 and personnel records related to the expenditure of all funds  
211 appropriated under the provisions of this act and that such  
212 records shall be in the same format and level of details as  
213 maintained for Fiscal Year 2006. It is further the intention of  
214 the Legislature that the budget request for Fiscal Year 2008 shall  
215 be submitted to the Joint Legislative Budget Committee in a format  
216 and level of detail comparable to the format and level of detail  
217 provided during the Fiscal Year 2007 budget request process.

218           **SECTION 15.** It is the intention of the Legislature that the  
219 State Treasurer's Office may authorize increases in major objects  
220 of expenditure in total amounts not to exceed fifteen percent  
221 (15%) of the appropriated amount of each major object of  
222 expenditure, provided that other major objects of expenditure are  
223 decreased by a corresponding dollar amount. However, no transfers  
224 shall be authorized which increase the major object of expenditure  
225 "Salaries, Wages and Fringe Benefits."

226           **SECTION 16.** It is the intention of the Legislature that  
227 whenever two (2) or more bids are received by this agency for the  
228 purchase of commodities or equipment, and whenever all things  
229 stated in such received bids are equal with respect to price,  
230 quality and service, the Mississippi Industries for the Blind  
231 shall be given preference. A similar preference shall be given to  
232 the Mississippi Industries for the Blind whenever purchases are  
233 made without competitive bids.

234           **SECTION 17.** The money herein appropriated shall be paid by  
235 the State Treasurer out of any money in the State Treasury to the  
236 credit of the proper fund or funds as set forth in this act, upon  
237 warrants issued by the State Fiscal Officer; and the State Fiscal  
238 Officer shall issue his warrants upon requisitions signed by the  
239 proper person, officer or officers in the manner provided by law.

240           **SECTION 18.** This act shall take effect and be in force from  
241 and after July 1, 2006.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
X (SIGNED) Gordon	X (SIGNED) Stringer
X (SIGNED) Thames	X (SIGNED) Flaggs
X (SIGNED) Flowers	X (SIGNED) Banks