

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. 1704: Appropriation; Insurance Department.

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 any special
7 fund in the State Treasury to the credit of the Mississippi
8 Department of Insurance which is comprised of special source funds
9 collected by or otherwise available to the department, for the
10 purpose of defraying the expenses of the department for the fiscal
11 year beginning July 1, 2007, and ending June 30, 2008.....
12 \$ 9,402,655.00.

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

17 **MAJOR OBJECTS OF EXPENDITURE:**

18 Personal Services:

19 Salaries, Wages and Fringe Benefits..	\$	6,745,365.00
20 Travel and Subsistence.....		115,000.00
21 Contractual Services.....		2,051,291.00
22 Commodities.....		291,171.00
23 Capital Outlay:		
24 Other Than Equipment.....		0.00
25 Equipment.....		95,628.00
26 Vehicles.....		100,000.00

27	Wireless Communication Devices.....	3,700.00
28	Subsidies, Loans and Grants.....	<u>500.00</u>
29	Total.....	\$ 9,402,655.00

30 AUTHORIZED POSITIONS:

31	Permanent: Full Time.....	124
32	Part Time.....	0
33	Time-Limited: Full Time.....	0
34	Part Time.....	0

35 Funds are provided herein to adjust the Variable Compensation
36 Plan to ensure that all full-time employees receive a pay increase
37 equal to the realignment component of the Variable Compensation
38 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
39 is greater, to be awarded on July 1, 2007.

40 With the funds herein appropriated, it is the intention of
41 the Legislature that it shall be the agency's responsibility to
42 make certain that funds required to be appropriated for "Personal
43 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
44 funds appropriated for that purpose, unless programs or positions
45 are added to the agency's Fiscal Year 2008 budget by the
46 Mississippi Legislature. Based on data provided by the
47 Legislative Budget Office, the State Personnel Board shall
48 determine and publish the projected annual cost to fully fund all
49 appropriated positions in compliance with the provisions of this
50 act. It shall be the responsibility of the agency head to insure
51 that no single personnel action increases this projected annual
52 cost and/or the Fiscal Year 2008 appropriations for "Personal
53 Services" when annualized, with the exception of escalated funds
54 and educational benchmarks. If, at the time the agency takes any
55 action to change "Personal Services", the State Personnel Board
56 determines that the agency has taken an action which would cause
57 the agency to exceed this projected annual cost or the Fiscal Year
58 2008 "Personal Services" appropriated level, when annualized, then

59 only those actions which reduce the projected annual cost and/or
60 the appropriation requirement will be processed by the State
61 Personnel Board until such time as the requirements of this
62 provision are met. On January 1, 2008, the State Personnel Board
63 will make adjustments to the structure side of the compliance
64 report based on data provided by the Legislative Budget Office in
65 order for agencies to award educational benchmarks.

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

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

79 **SECTION 3.** It is the intention of the Legislature that the
80 Mississippi Department of Insurance shall maintain complete
81 accounting and personnel records related to the expenditure of all
82 funds appropriated under this act and that such records shall be
83 in the same format and level of detail as maintained for Fiscal
84 Year 2007. It is further the intention of the Legislature that
85 the agency's budget request for Fiscal Year 2009 shall be
86 submitted to the Joint Legislative Budget Committee in a format
87 and level of detail comparable to the format and level of detail
88 provided during the Fiscal Year 2008 budget request process.

89 **SECTION 4.** Of the funds appropriated under the provisions of
90 Section 1, and authorized for expenditure in Section 2, Fifteen

91 Thousand Seventy-nine Dollars (\$15,079.00) is provided for the
92 Mississippi Fire Personnel Minimum Standards and Certification
93 Board.

94 **SECTION 5.** The following sum, or so much thereof as may be
95 necessary, is hereby appropriated out of any money in the special
96 fund in the State Treasury to the credit of the Rural Fire Truck
97 Acquisition Fund to the Mississippi Department of Insurance for
98 the Rural Fire Truck Acquisition Assistance Program for the fiscal
99 year beginning July 1, 2007, and ending June 30, 2008.....
100 \$ 4,000,000.00.

101 **SECTION 6.** The following sum, or so much thereof as may be
102 necessary, is hereby appropriated out of any money in the special
103 fund in the State Treasury to the credit of the Supplemental Rural
104 Fire Truck Fund, created in Section 1, Laws of 2004, Third
105 Extraordinary Session, to the Mississippi Department of Insurance
106 for the Supplemental Rural Fire Truck Acquisition Assistance
107 Program for the fiscal year beginning July 1, 2007, and ending
108 June 30, 2008..... \$ 2,980,000.00

109 **SECTION 7.** Of the funds appropriated under the provisions of
110 Section 1 and authorized for expenditure in Section 2, funds in
111 the amount of Ten Thousand Dollars (\$10,000.00) are provided and
112 shall be expended to pay the annual dues for the National
113 Conference of Insurance Legislators.

114 **SECTION 8.** It is the intention of the Legislature that none
115 of the funds appropriated above shall be expended unless members
116 of the Mississippi House of Representatives and Mississippi Senate
117 are notified at least five (5) days prior to a public ceremony
118 announcing the award of any grant in their district or any public
119 announcement or ceremony regarding the groundbreaking or opening
120 of a facility, roadway or bridge for which the Legislature has
121 made funds available. Any signage regarding any public event or
122 any new facility, roadway or bridge shall include the following

123 language: "Funds were made available for this project by the
124 Mississippi State Legislature."

125 **SECTION 9.** It is the intention of the Legislature that
126 whenever two (2) or more bids are received by this agency for the
127 purchase of commodities or equipment, and whenever all things
128 stated in such received bids are equal with respect to price,
129 quality and service, the Mississippi Industries for the Blind
130 shall be given preference. A similar preference shall be given to
131 the Mississippi Industries for the Blind whenever purchases are
132 made without competitive bids.

133 **SECTION 10.** It is the intention of the Legislature that the
134 Office of Mississippi Department of Insurance shall have the
135 authority to accept, budget and expend funds, which is comprised
136 of special funds to the office, not to exceed Three Hundred
137 Thousand Dollars (\$300,000.00). Such funds are to be escalated in
138 accordance with procedures for federal fund escalations as
139 established in Section 27-104-21, Mississippi Code of 1972, and
140 expended for the purposes of performing such duties as set forth
141 by law in accordance with applicable rules and regulations of the
142 State Fiscal Officer.

143 **SECTION 11.** The money herein appropriated shall be paid by
144 the State Treasurer out of any money in the State Treasury to the
145 credit of the proper fund or funds as set forth in this act, upon
146 warrants issued by the State Fiscal Officer; and the State Fiscal
147 Officer shall issue his warrants upon requisitions signed by the
148 proper person, officer or officers, in the manner provided by law.

149 **SECTION 12.** This act shall take effect and be in force from
150 and after July 1, 2007.

**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 MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE
3 FISCAL YEAR 2008.

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Weathersby

X (SIGNED)
Huddleston

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Kirby

X (SIGNED)
Cuevas